App. F. IX-4

Previous References. (194 T) Legis **File No.** 46-41

Serial Nos. (1, 2, 3

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for February 1942

Mysore War Injuries **SUBJECT.** Emergency Act and War Injuries Scheme

To The compiler, Mysore Gazette
No RL 1383 • Legis 46-41-1 dated 4-2-1942
Notifies the Mysore War Injuries (Emergency) Act, 1942, and also Scheme and Regulations thereunder

Serial No.

From

The Secretary to the Hon'ble the Resident

F. 87-41/W dated 6th and 9th September 1941

re War Injuries Ordinance.

1 A Copy of the Ordinance is put up. In their second letter the Residency request that a similar measure may be introduced in Mysore.

2 The Ordinance relates to the formulation of schemes by the Government for grant of relief to and the making of payments to or in respect of persons sustaining war injuries (i.e. by the enemy or in Combating the enemy)

3 The Residency also state that the preparation of a scheme is under the Consideration of the Government of India and that a further Communication will follow

4 It is for orders whether a similar measure may be framed for Mysore. If legislation has to be immediately undertaken, it may have to be by means of an Emergency Act replaced later and if necessary, by a permanent measure. This is to also for orders

5 In their first letter the Residency suggest that the Civilian population may be encouraged to carry a Card or identity disc showing the name of the individual & address and the relative or next of kin. This is also suggested to [illegible]

NOTE—Contn. Sheet.

WD 01925—GPB—1,000—4-3-41

re Injuries Ordinance

File No. of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

Means of identification for establishing claims for relief for injury and also to enable the next of Kin being notified in Cases of an said Casualties

Such a practice is perhaps not yet necessary and if put before the public may perhaps have the unwelcome result of creating a panic, particularly in the minds of the illiterate. Until it becomes necessary or expedient, such advice may perhaps be kept back. This is for Consideration

24.9.41.

Addl Secy
Pol Dept

7 As the Residency request that steps be taken to introduce a similar measures here, an Emergency Act may perhaps be issued on the basis of the Ordinance.

8 As regards hoisting the Scheme for the carrying of a card or disc by the Civil Population, referred to in the second letter of the Residency, it is perhaps unnecessary to introduce it

MKV
24/9

Law Secy

9 The Bill is an enabling measure giving power to Government to frame

SECY. LAW DEPT
24 SEP. 1941
GOVT OF MYSORE

Serial No.

DEPUTY'S OFFICE
27. SEP. 1941
No. 2659

Schemes for payment of compensation in respect of war risk insurance is likely to come into force after the scheme is notified

10) An Emergency Act may be passed

11) As regards the suggestion of carrying a dise, a press communique may be issued as and when an emergency arises.

Minister (for Law)

Hm 2/9/41. JNRM 25/9

Dewan)

12) We may wait for some time. When [illegible] an Emergency Act, if necessary. Such an Act would require an estimate Act before it can be placed before H.A. (Budget Session).

Hm 26.9.41

OFFICE OF THE MINISTER FOR LAW
SEP 26 1941
No. 3019

OFFICE OF THE MINISTER FOR LAW
DEC 15 1941
No. 6028

JNRM 27/9/41

13) Please resubmit on 1/12/41 or earlier, if necessary.

Hm 27/9

Hm 2 28/9/41

BKR 28.9.41

Sm 28.9.41

Sm 1.12 or earlier if called for

14) Reference paras 12 and 13 abve. The file is put up for orders

Sm 13.12.41

GOVT. LAW DEPT. 1941 GOVT OF MYSORE

Secy RARe)

BKR 13.12.41

15) Law Secy)

Minister for Law)

16) Hm 2 13.12.41. BKR 15.12.

NOTE—Contn. Sheet.

WD 01925—GPB—1,000—4-3-41

File No. of 19

General and Revenue
Secretariat
R. A. & L. C.

	Serial No.

War Injuries ordinance

General and Revenue Secretariat
R. A. & L. C.

File No. 580/d. of 194

App. F. III-2

Serial No.

18) A Bill drafted on the lines of the British Indian ordinance is put up for Consideration

Hm
7.12.41

Law Secy,

19) May be approved

Minister for Law.)

Hm
2
2/1/42
2.1.42

20) Agd

21) May kindly be discussed by circulation

Hm
4-1-42

22) For favour of circulation

Chief Secy
Mc.)

Hm
2
5.1.42

In Memo Subd
5/1/42

Signed
MK
6/1/42

OFFICE OF THE MINISTER FOR LAW
JAN 8 1942
No. 6760

NOTE—Contn. Sheet.

For Disposal by Circulation.

No. C. 593

J 194 1-42

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

The Mysore War Injuries (Emergency) Act - 1941.

Circulated to the Council of Ministers.

By Order,

M Visvanath

5th January 1942

Chief Secretary to Government.

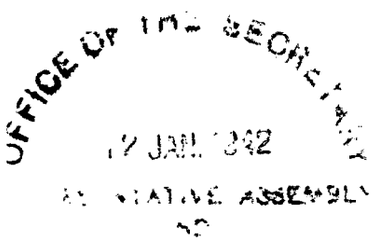
Minister for Finance and Revenue. (Seen)

Minister for Law. (Seen,

3691 / 6.1.42 ✓ **Minister for Education.** 7.1.42

4224 / 9.1.42 **Minister for Local Self-Government and Public Health.** 9.1.42

Legis. Section



Mysore War Injuries Act

General and Revenue Secretariat
R. A. & L. C.

File No. 580/N of 194

App. F. III-2

Serial No.

BE.

No. 623/

JAN 16 1942
No. 7258

24) The British Indian War Injuries ordinance has been amended early this month by ordinance No 1 of 1942

25) The amendments are in respect of 2 items

That the Scheme may provide for the payment of medical and surgical treatment

2. Private dispensaries and hospitals may be directed to render assistance.

26) These amendments have been incorporated in the draft Bill put up.

The Government of India have also published the Scheme envisaged by their ordinance After promulgation of our Act here, the question of making and publishing a similar Scheme will have to be taken up

27) A D F N is also put up for Consideration

13.1.42

Secy)
RAKE)

BKR
15.1.42

SECY. LAW DEPT.
468
15 JAN. 1942
GOVT OF MYSORE

Law Secy)

28) D. F. N. submitted

Minister for Law)

Hm
15-1-42

29) F. N. signed.

Dms
16.1.42

Dewan)

Bm
17-1-42

Hm
19.1.42

BKR

NOTE—Contn. Sheet.

Final Note by the Minister for Law.

Subject.—

The Mysore War Injuries Emergency Act.

In July 1941 an Ordinance was promulgated by the Government of India to provide for the grant of relief in respect of personal injuries sustained during the continuance of the present war. In September 1941 the Residency requested that, if there was no objection, steps might be taken in Mysore to introduce a similar measure. It was not considered necessary at that time to take steps to introduce the measure in Mysore. But circumstances have since arisen which render it desirable to enact similar legislation in Mysore. The draft of a Bill has accordingly been put up on the lines of the British Indian Ordinance.

It is proposed to issue the Act as an Emergency measure in the first instance, and should conditions require its continuance to introduce it in the Representative Assembly and in the Legislative Council in the next Session. The Dewan and the other Ministers are agreeable to these proposals.

I solicit the gracious sanction of His Highness to the above proposals.

Bangalore,
17th January, 1942.

MINISTER FOR LAW.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Law on the subject of the proposal to enact the Mysore War Injuries Emergency Act as an emergency measure, for His Highness's gracious approval.

DEWAN.

Bangalore,
19th January 1942.

Record of Cases submitted for the Orders of

His Highness the Maharaja.

564

Subject.

Enactment of the Mysore War Injuries Emergency Act as an emergency measure.

Order.

21/1/'42

25/1/42

26/1/42

General and Revenue

Secretariat.

SUBJECT :—

Enactment of the Mysore War Injuries Emergency Act as an emergency measure.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

34. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

.....Law.....Department. 26.1.42

4191/27.1.42

Minister for Finance and Revenue. 28.1.42

Minister for Law. (on deputation)

4101/29.1.42

Minister for Education. 29.1.42

Minister for Local Self-Govt. and Public Health. — do —

Law Secy - with compliments 30/1/42

NOTE.—Contn. sheet

WD 04199—GPB—500—27-9-41

30.1.42 30.1.42 30.1.

The Mysore War Injuries (Emergency) Act, 194

General and Revenue Secretariat
R. A. & L. C.

File No. 580/RL of 194

App. F. III-2

Serial No.

30) The gracious assent of His Highness the Maharaja was accorded on 2.1.1942 to promulgate the Bill into law.

31) Draft G.O. directing the publication of the Act as Act IV to XV of 1942 is put up

26-2-42

32) may be appeared

2.2.42

Secy RA & RC

BVR 3.2.42

Law Secy

DNS 3.2.42

Hm 2 3.2.42

33) Issue

BVR 3.2.42

Issued G.O. No RL 1383 - Legis 46-41-1 dated 4.2.42 directing publication of the Act as Act no XV of 1942 in the Gazette.

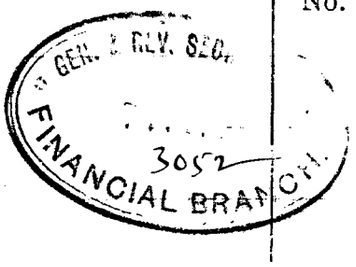
34) The Act has appeared in Part IV of the Gazette of the 5th February 1942.

General and Revenue Secretariat
R. A. & L. C.

File No. 730/RL of 194

App. F. III-2

Serial No.



Mysore Sagatha
5th Feby. 42.
Page 65 Part IV

35) The Mysore War Injuries Emergency Act which received the assent of His Highness the Maharaja on the 21st of January 1942 has been published in the Gazette of yesterday as Act No.XV of 1942. Under section 3 of this Act Government are empowered to make schemes in accordance with the provisions of the Act for the grant of relief in respect of certa war injuries. A scheme under the corresponding British Indian Ordinance has also been issued in British India and Rules under the Act also have been made and published there. It is for consideration if similar action should not be taken in Mysore. The section which should deal with this matter has to take further action.

36) This will, if approved, be sent to the Financial Branch for necessary action.

6.2.42

Secy
A.R.C.

6.2.42

W Secy

6.2.42

6.2.42

7.2.42

7.2.42

for) Submitted for permal in the prescribed manner with a copy of

File No.

General and Revenue
Secretariat
R. A. & L. C.

Serial No.

the Gazette dated 5.2.42 containing the Mysore War Injuries Act, 1942 — pp. 65 - part IV

The corresponding Ordinance, the Scheme & the Rules of the Govt of India will be obtained & action taken in due course. It is perhaps more appropriate if the Mily or War section takes further action in the matter.

By 7.2.42

§9) The question does not relate to injuries sustained by the Military forces only, but is more general. It may appropriately be worked up in the War Section (in consultation with other Secretts)

4/2

Dy Se

4) A me

Ans

7/2

War Section

1) The IGP may be requested to prepare a draft scheme, on the lines of the British

1190/41

Serial No.

FEB 19 1942
8237

10/2

Indian Scheme, as also the Rules under the Act

for approval

Chief Secretary)

43) Please put up the S. of S. rules.

13/2

42)

Vide Flag B linked file

Kind reference is invited to the Secretary of State for India's 1st Dec 42 wherein the Scheme as well as the regulations under the War Injuries Ordinance have been published

17/2

Chief Secretary)

CHIEF SECRETARY. 17. FEB. 1942 GOVT. OF MYSORE.

44) If approved can be communicated

17/2

Law Dept

2/2

THE INSPECTOR-GENERAL OF POLICE MYSORE. 20. FEB. 1942 BANGALORE

45)

E.O. 18 dt 20th Feby. 42.

Forwarded with 19 of Police for favour of remarks

S Saravanathan 20/2/42

For Chief Secretary

Ac. 1481 41. 42

46) Returned with Compliments. Since the principle has already been accepted by the Govt of India

NOTE—Cont. Sheet.

WD 04155- GPB—55,000—23-10-41

File No. of 194

General and Revenue Secretariat.

Serial No.

OFFICE OF THE MINISTER FOR LAW
FEB 24 1942
No. 8409

Act, for under, I submit, my view for adoption of the details of the Scheme of relief.

2) Under the terms of the Scheme entrance as and Private and Corporal Civil Defence Volunteers, who qualify for wear a right to.

3) The scales of relief are fixed below in the first and benefit of the junior classes, which is as it should be.

[signature]
21/2/42

Law Society

4) Please put up draft of the adopting it to my and under A Ordinance recent was now in operation approved by Minister Finance & Defence Mr.

1170/W

-/30/42

General and Revenue Secretariat | File No. | of 194 | [App. F. III—2

Serial No.

With reference to the Law Ministers minute before it is put with the Secretary to the Legislature for putting up a draft notification adopting the Govt of India Scheme and Rules under our War Injuries (Emergency) Act

24/2

24/2/42

Law Secretary

SECY. LAW DEPT. 1687 24 FEB 1942 GOVT OF MYSORE

24.2.42

5) The War section has to work up the scheme and draft a notification on these lines thereafter it may be sent to the Law Secretary for scrutiny

4.2.42

A draft notification adopting the War Injuries Scheme to Mysore under our Act is put up as per Law Ministers Minute supra. The Law Secretary may perhaps be consulted regarding its legal adequacy. Along with the Notification the Government of India scheme itself will be republished in Mysore Gazette for general information

Chief Secy)

27

WD 04155—GPB—55,000—23-10-41

Law Secretary

File No. of 194 | General and Revenue Secretariat

Serial No.

53) I think it could be better to have a Notification of our own instead of applying the Br. Indian notification mutatis mutandis, though we may copy the same. With suitable modifications the Br. Indian Notification may be adopted here

Hm
28/2/42

54) With reference to Law Secy's instructions two revised draft notifications on Subsidy and the Regulations under the Scheme suggested for the Scheme, with the pencil corrections made there may be adopted and a notifications under our Act (Emergency) drawn

28/2
Law Secy)

55) Please scrutinise these carefully

Hm
28/2/42

Kindly submit to the Secy, R.A.&D.C, who is in charge of legislation.
28/2
BKR
28.2.42

56) The pencil Corrections made in the Scheme & the Regulations under the Scheme seem to be all right and may be adopted

BKR
3.3.42

Law Secy)

57) May be approved.

Minister for Law
thro Fin Secy)

Hm
1.3.42

BKR
4.3.42

SECY. LAW DEPT
1836
28 FEB 1942
GOVT OF MYSORE

SECY. LAW DEPT
1877
3 MAR 1942
GOVT OF MYSORE

FINANCIAL SECRETARY
U.O.No. F.I. 5263
2 MAR 1942

5263/42

Serial No.

58) It is not possible to gauge the exact financia implications of the proposed arrangements, as the extra expenditure, if any, that may be entailed on this account would depend largely on factors which are beyond our control and cannot also be foreseen.

59) I, however, wish to urge one aspect of the question. It is possible that apart from the subjects of the State and other ordinary residents in the State in the stress of excitement there may, on particular occasions, be a large influx of floating population from neighbouring provinces temporarily staying in the State. I am not sure if it is incumbent on this Government to extend the concessions under the Scheme to all such persons, or whether any restrictions (e.g. residence for a particular period at least) may not be imposed in the case of these.

17-3-42 JDJ M2

They will come under the Scheme only if they are gainfully occupied

19-3-42

60) The Scheme is not intended to be applicable to all persons. Kind reference is invited to Section 3 of the Act and clause H of the proposed Scheme.

Law Minister through the Dewan

OFFICE OF THE MAR 20 1942 9372 MINISTER & REVENUE 23 MAR 1942 No. 5794

SECY. L. DEPT. 2170 1 MAR 1942 GOVT. OF MYSORE

NOTE—Contin. Sheet.

DEWAN'S OFFICE 1942 8144

Minister for Finance 21/3/42

61) 243 24-3-42 Dewan 20/3/42

File No. 730/R of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

MAR 25 1942
No. 9751

Reference para 49,

For orders if the War Injuries Scheme and Regulations may be published in the Mysore Gazette if possible, they may come into force on 1st April 1942.

BVR
25.3.42

Law Secy)

May be published. It may come into force from 1st April 42

Hm
2
25.3.42

Minister
I am.)

Hm
25/3

Hm
2
25.3.42

BVR
25.3.42

To The Compiler, Mysore Gazette

Notification No. R.L. 1992/heyis 46-41-2 dated 25-3-42 — Notifies the War Injuries Scheme

Notification No. R.L. 1933/heyis 46-41-3 dated 25-3-42 — Notifies Regulations under the War Injuries Scheme

A draft letter to the Compiler Mysore Gazette requesting republishment of the Notification No. R.L. 1992/heyis 46-41-2 and No. R.L. 1933/heyis 46-41-3 dated 25-3-42, in part IV of the next Gazette is put up for approval.

W.
30.3.42

BVR
30/3.

MV
30.3.42

General and Revenue Secretariat R. A. & L. C.	File No.	of 194	App. F. III-2

Serial No.

Issued No RL 2042 dated 30th March 1942 to the compiler, Mysore Gazette

Directs him to republish Notifications No. RL. 1992 / Legis 46-41-2 (War Injuries Scheme) and No RL. 1933 Legis 46-41-3 (Regulations under the War Injuries Scheme) in part IV of the next Gazette

Letters from the Residency re: War Injuries Scheme and Regulations

General and Revenue Secretariat R. A. & L. C.

File No. of 194 App. F. III-2

886/R L & 908 R L

Serial No.

From
The Secretary to the Hon'ble the Resident in Mysore
Letters No. F 87-41/W and F 87-41/W, dated 6th March 1942 and 11th March 1942 respectively
Enquires whether our Govt have introduced War Injuries Scheme Similar to the British Indian War Injuries Scheme
Submitted

The Residency refers the P.U.D to the British Indian War Injuries Scheme and Regulations, and enquire whether our Govt have made Schemes under the Mysore War Injuries (Emergency) Act, 1942.

"~~the Scheme under~~ The War Injuries Scheme ... ready under preparation and ~~Draft Notifications are submitted for approval. is in the final Stage~~. A reply will be sent to the Residency stating that steps have already been taken to introduce the Schemes under the Emergency Act

A draft reply is put up for approval

DW
14-3-42 BVN
14/3

BKR
14.3.42

Issued No. pol 1729 dated 14 3 1942 to Secy to the Hon'ble the Resident in Mysore

P/ on Draft letter to Residency forwarding copies of the Schemes

NOTE—Contn. Sheet.

Since published in Govt Gazette

Mr DV

Forwarding copies of War Injuries scheme to the Residency

File No. of 194

General and Revenu Secretariat
R. A. & L. C.

9081/RL

Serial No.

Draft letter forwarding two copies of the War Injuries Scheme, 1942, to the Residency is submitted for approval

DN. 23-4-42 JAS 23.4.42

May be approved

Sd/- 23-4-42

Secy (RA&L)

HSHe

ROCR 23-4-42

Issued No pol 2010 dated 23-4-42 to the Secretary to the Hon'ble the Resident in Mysore

Forwards two copies of the War Injuries Scheme, 1942 and the War Injuries Regulations 1942

War Injuries Scheme, 1942
Amendments

General and Revenue Secretariat
R. A. & L. C.

File No. of 194 App. F. III-2

1052/R2

Serial No.

From The Secretary to the Hon'ble the Resident in Mysore
letter No 87-41/H dated 9th April 1942
Forwards copy of Notification by the Government of India, Department of Labour directing further amendments in the War Injuries Scheme 1942

The main file, relating to the War Injuries Scheme is put up herewith. Submitted for orders whether the P.U.D may be sent along with the main file to the War Section (C.B) for taking necessary action

W. 15-4-42

For perusal before sending the file to C.B.

BDNS 15/4

The War Injuries Emergency Act and the War Injuries Scheme issued thereunder are in force The letter from 1st April 1942

The question arises as to which section has to deal with the working of the Scheme It is submitted that the Legislation Section is not the proper section for undertaking the working of any Act or Rules thereunder much less when it involves financial considerations

This is for orders

15.4.42

Secy
R & Re)

War Inquiries Scheme

File No. 1052/RL of 194

General and Revenue Secretariat
R. A. & L. C.

Serial No.

Reference - para 5 (1) in the linked file

If approved, the present file will be transferred to the War Section

BKR
16-4-42

Law Secy)

SECY. LAW DEPT
J 2 2
16 APR. 1942
GOVT OF MYSORE

Hm
16/4/42

1613/W.

BKR
16.4.42

War Section)

This subject matter does not strictly relate to the War Section. It has the closest nexus in the Financial Branch or in the Establishment. The Notification of the Govt of India about the Indian Income Tax Rules in the Labour Dept. Such for orders as to which Dept the Income Tax Rules

Hm
17/4/42

Inquiries

Inquiries will be in the War Section

Inquiries of the above kind by the Labour

Hm
17/4

Please put up with the file of Establishment Section

Hm
17/4

CHIEF SECRETARIAT
17 APR. 1942
GOVT. OF MYSORE.

1613/W. War Injuries Scheme

General and Revenue Secretariat | File No. 1052/NL of 194 | [App. F. III-2

Serial No.

The War Injuries Scheme and the Regulations have already issued in the Legislative Excepting the present amendment now received which have been issued as soon as the present is completed. The question is only re the power of the Scheme & when a necessity arises. The Reg letter dated 11th March 42 referred to in the present letter is not to be found in the file. Perhaps the said letter also relates to some amendments. The Legislative will be asked to send the Complete papers relating to the Scheme. Now we may also [illegible] examined [illegible] Scheme [illegible] Asst. Legal Adviser (Legal) [illegible] 17/4/42

Submitted

All the papers relating to the War Injuries Scheme are put up herewith. The papers may be sent, if approved, to the C.B for further action.

Please see A above

22.4.42

Reference Query at A above. Schedule I of the War Injuries Scheme which sets out "Civil Defence organisations" for the purposes of the Act and Scheme (See clause 3 of the Scheme) divides such organisations with those established by the

1613/W War Injured Scheme

File No. 1052/42 of 194

General and Revenue Secretariat

Serial No.

Provincial Govt and those established by the Central or a Provincial Govt.

In Mysore such distinction is unnecessary and hence the two paragraphs have evidently been Combined to one.

Secy (RA Dept) 23.6.42

DSR 23.4.42

Asst Secy (War Section) WE

The Revised Rules is for perusal. No action seems necessary to amend the Scheme based on the lines of the Govt of India Amendments

Secy (Legislative) 25.6.42

Secy 29/6

" Asst Secretary Draft notification amending the Schedule is suitably brought out

29/6

Draft Notification is submitted for order

29/6/42

Law Secretary May be scrutinised early

29/6

OFFICE OF THE MINISTER FOR LAW APR 27 1942 No. 1117 A

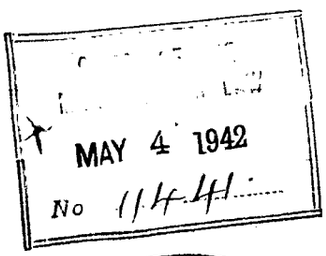
CHIEF SECRETARY 25 APR 1942 GOVT. OF MYSORE.

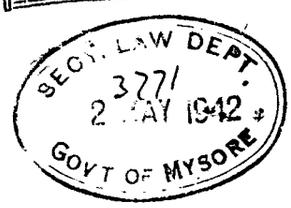
SECY. LAW DEPT 29 APR 1942 GOVT OF MYSORE

1857/W — re Injuries Scheme

General and Revenue Secretariat | File No. 1057 | of 194 | [App. F. III—2

Serial No.





The draft appears to be suitable
the mistake at "A" on the previous page is regretted

2.5.42

Secy RA &c)

Law Secy)

15/5/42

Hm 2/5/42

15/5/42

Asst Secy
Wan Secy
WC)

Law Minister
By this amendment Govt accept liability for A.R.P Ambulance services set up by private employers & recognised by Govt &c as at present
Minister for Insurance
Law)

Law 4/5/42

9/5

1/5/42

Law 9/5

for Secretary's signature

9/5

JE: RS)

9.5.42 9/5

11/5

Issue Notification no 29490 dated 12th May 42 to the Compiler

THE OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE,

Dated Bangalore, the 6th September 1941.

OFFICE OF THE SECRETARY
8 SEPT. 1941
REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL

No.F. 87-41/W.

A copy of the undermentioned paper is forwarded with compliments to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, Bangalore, for information.

CHIEF SECRETARY. 6 - SEP. 1941 GOVT. OF MYSORE.

By order, etc.,

for SECRETARY TO THE RESIDENT.

Letter from the Government of India, Home Department, to all Provincial Governments and Chief Commissioners, No.78/274/41-A.R.P., dated the 15th August 1941.

VN

Copy of a letter from the Government of India, Home Department, to all Provincial Governments and Chief Commissioners No.78/274/41-A.R.P., dated the 15th August 1941.

I am directed to refer to the War Injuries Ordinance, (Ordinance No.VII of 1941), promulgated in the Gazette of India Extraordinary dated the 25th July 1941, and to say that, in the United Kingdom, all members of the public are advised to carry with them the name and address of their next of kin or some other person whom they would wish to be notified in the event of their becoming an air raid casualty.

Without some system of this sort, the recording and notification of casualties will become a matter of considerable difficulty.

In these circumstances, I am to request that the Provincial Government/you will do everything possible to encourage the civilian population to carry a card of identity disc on which should be inscribed the name of the individual and his address together with that of a relative or next of kin.

The civil population should also be advised that in the

in the absence of some means of identification it will be more difficult to establish claims for relief for injury.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. F.87-41/W.

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Dated Bangalore, the 9th Septr. *194* 1.

War Injuries Ordinance, 1941.

SIR,

I am directed to refer to my endorsement No.F.87-41/W, dated the 15th August 1941 regarding the War Injuries Ordinance, and to request that, if there is no objection, steps may kindly be taken to introduce a similar measure in the M y s o r e State and this Residency informed of the action take...

2. The preparation of the scheme referred to in the Ordinance is under consideration of the Government of India and a further communication will follow.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDEN

REPRESENTATIVE ASSEMBLY
& LEGISLATIVE COUNCIL OFFICE

Dated .....

Endorsement 7.87 — 41/W

dated 15th August 1941

re War Injuries ordinance

Dear Mr Shelmerdine

I am sending herewith for
your information a copy
of the Memorandum
of the Treasurer's Office of
the 26th inst.

Yours

should be 6th Sept. 1941
which is the first letter from
Residency was on the subject

REGISTERED No. L 313

REV. SEC
30 JULY 1941

The Gazette of India

EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

SIMLA, FRIDAY, JULY 25, 1941.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

Simla, the 25th July, 1941.

ORDINANCE No. VII OF 1941.

AN

ORDINANCE

to make provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities.

WHEREAS an emergency has arisen which renders it necessary to make provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities;

NOW, THEREFORE, in exercise of the powers conferred by section 72 of the Government of India Act, as set out in the Ninth Schedule to the Government of India Act, 1935, the Governor General is pleased to make and promulgate the following Ordinance:—

Geo. 5, 2.

1. (*1*) This Ordinance may be called the War Injuries Ordinance, 1941. Short title, extent and commencement.

(*2*) It extends to the whole of British India.

(*3*) It shall come into force at once.

2. In this Ordinance, unless there is anything repugnant in the subject or context,— Interpretation.

(*1*) "civil defence organisation" means any organisation established for civil defence purposes which is declared by a scheme to be a civil defence organisation for the purposes of this Ordinance and the scheme;

[*Price: 1 Anna.*]

(2) "civil defence volunteer" in relation to an injury, means a person certified, by an officer of a civil defence organisation authorised by the ~~Central~~ Government to grant such certificates, to have been a member of that organisation at the time the injury was sustained

(3) "continuance of the present hostilities" means the period beginning with the commencement of this Ordinance and ending with such date as the ~~Central~~ Government may, by notification in the official Gazette, declare to be the date on which the present hostilities terminated

(4) "gainfully occupied person" means a person who is engaged in any trade, business, profession, office, employment or vocation and is wholly or substantially dependent thereon for a livelihood, or a person who, though temporarily unemployed, is normally so engaged and dependent

(5) "scheme" means a scheme made under this Ordinance;

(6) "war injury" means a physical injury

(a) caused by—

(i) the discharge of any missile (including liquids and gas), or

(ii) the use of any weapon, explosive or other noxious thing, or

(iii) the doing of any other injurious act,

either by the enemy or in combating the enemy or in repelling an imagined attack by the enemy; or

(b) caused by the impact on any person or property of any enemy aircraft, or any aircraft belonging to or held by any person on behalf of or for the benefit of His Majesty, or any allied power, or any part of, or anything dropped from, any such aircraft

(7) "war service injury", in relation to a civil defence volunteer, means any physical injury shown to the satisfaction of the ~~Central~~ Government or other authority authorised to make payments under a scheme to have arisen out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time the injury was sustained, and (except in the case of a war injury) not to have arisen out of and in the course of his employment in any other capacity

vided that before being so satisfied the ~~Central~~ Government or other authority authorised to make payments under a scheme shall have received from the civil defence organisation of which the volunteer concerned was a member at the time the injury was sustained, a report, by an officer of the organisation authorised by the ~~Central~~ Government to make such reports, about the injury in question.

Power to make schemes for relief in respect of war injuries and war service injuries.

3. (*1*) The ~~Central~~ Government may make a scheme or schemes in accordance with the provisions of this ~~O~~rdinance providing for the grant of relief in respect of the following injuries sustained during the continuance of the present hostilities, namely :-

(*a*) war injuries sustained by gainfully occupied persons (with such exceptions, if any, as may be specified in the scheme) and by persons of such other classes as may be so specified; and

(*b*) war service injuries sustained by civil defence volunteers.

(*2*) A scheme may authorise the ~~Central~~ Government, or any authority authorised by the ~~Central~~ Government to make payments under the scheme, in such circumstances and subject to such conditions as may be specified in the scheme, to make to or in respect of persons injured—

(*a*) payments by way of temporary allowance, which shall be payable only so long as the person injured is incapacitated for work by the injury and has not received any such payment as is mentioned in clause (*b*);

(*b*) payments otherwise than by way of temporary allowance, which shall be payable only where the injury causes serious and prolonged disablement or death ; and

(*c*) payments for the purchase of or the grant at the cost of Government of artificial limbs or surgical or other appliances.

(*3*) A scheme may empower the Central Government to make regulations for giving effect to the purposes of the scheme.

(*4*) A scheme may provide that it shall come into operation or shall be deemed to have come into operation on such date as may be specified therein.

(*5*) A scheme may be amended or rescinded at any time by the Central Government.

(*6*) Any decision of the ~~Central~~ Government or other authority empowered to make payments under a scheme as to the making, refusal or amount, or as to the continuance or discontinuance, of a payment under a scheme may be varied from time to time by a subsequent decision of the Central Government or such authority as the case may be, but save in so far as it is so varied shall be final and conclusive.

Relief from liability to pay compensation or damages.

4. (*1*) In respect of a war injury sustained during the continuance of the present hostilities by any person, and in respect of a war service injury sustained during that period by a civil defence volunteer, no such compensation or damages shall be payable, whether to the person injured or to any other person, as apart from the provisions of this sub-section—

(*a*) would be payable under the Workmen's Compensation Act, 1923; or

(*b*) would, whether by virtue of any enactment or by virtue of any contract or at common law, be payable—

(*i*) in the case of a war injury, by any person, or

(*c*) in the case of a war service injury sustained by a civil defence volunteer, by the employer of the volunteer, or by any person who has responsibility in connection with the volunteer's duties as such or by any other civil defence volunteer.

on the ground that the injury in question was attributable to some negligence, nuisance or breach of duty for which the person by whom the compensation or damages would be payable is responsible.

(2) The failure to give a notice or make a claim or commence proceedings within the time required by any enactment shall not be a bar to the maintenance of proceedings in respect of any personal injury, if—

an application for a payment under a scheme has been duly made to the Central Government or other authority empowered to make payments under the scheme in respect of the injury; and

the Court or other authority before which the proceedings are brought is satisfied that the said application was made in the reasonable belief that the injury was such that a payment could be made under the scheme; and

(*c*) the Central Government or other authority empowered to make payments under the scheme certifies that the application was rejected, or that payments made in pursuance of the application were discontinued, on the ground that the injury was not such an injury; and

(*d*) the proceedings are commenced within one month from the date of the said certificate.

Information as to earnings.

5. (1) Where it is necessary in order to determine the amount of any payment to be awarded under a scheme in respect of any injury, to ascertain the earnings of the person injured in respect of any period before he sustained the injury, the Central Government or other authority authorised to make payments under the scheme may by notice in writing require—

(*a*) any person who was an employer of the injured person during that period, or

(*b*) any other person having any knowledge with respect to the financial circumstances of the injured person during that period,

to furnish in accordance with the notice any information in his possession relating to those earnings or circumstances, and to produce to any person specified in the notice any wage books, records or other documents in his possession containing entries with respect to those earnings.

(2) If any person—

(*a*) fails to comply with the requirements of any such notice, or

(*b*) in purported compliance with any such notice knowingly or recklessly makes any untrue statement or untrue representation, or produces any document which is false in a material particular or calculated to deceive,

he shall be punishable with fine which may extend to three hundred rupees.

6. Any person who, for the purpose of obtaining a payment or grant under a scheme either for himself or for any other person, knowingly makes any untrue statement or untrue representation, shall be punishable with imprisonment for a term which may extend to three months. Penalty for false statement.

7. Any assignment of, or charge on, and any agreement to assign or charge any payment awarded or to be awarded under a scheme shall be void, and, on the insolvency of any person to whom such a payment has been awarded, the payment shall not pass to any trustee or other person acting on behalf of the creditors. Assignments or charges to be void.

LINLITHGOW,

Viceroy and Governor General.

SIMLA,

The 25th July, 1941.

G. H. SPENCE,

Secy. to the Govt. of India.

PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI.

PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, SIMLA.

WAR INJURIES RELIEF

New Government of India Scheme

NEW DELHI, Jan. 2.

Details of provision for the grant of relief in respect of war injuries were published yesterday in the first ordinance of 1942. When the war injuries ordinance was promulgated in July, 1941, details as regards relief were not prescribed. In view of the present war situation, the Government of India have now framed a war injuries scheme and war injuries regulations under the ordinance.

The scheme provides for relief to "gainfully occupied" persons over the age of 15 who sustain war injuries, or to their dependents in the event of death. It also provides relief for injuries sustained by civil defence volunteers in the discharge of their duties as such volunteers. The procedure under the scheme has been so designed as to make relief expeditious and easy. "Claim officers," who will decide claims for relief, will be appointed by Provincial Governments and they will receive direct information from first-aid posts, dispensaries and hospitals to enable them to pass orders for relief without delay.

The whole cost of relief granted will be borne by the Central Government.

The scheme is not designed with the intention of compensating for the actual loss resulting from a war injury. No account, therefore, is taken of the position or income of the person injured before the receipt of the injury, but a more or less uniform rate is provided for all. This rate has been fixed, as in other countries, who have framed schemes for such relief, at an amount equivalent to the rates of pension and injury allowance drawn by the lowest paid combatant ranks of the army.

The scheme provides for free medical treatment to injured persons and for different kinds of allowances and pensions under three broad heads of temporary allowances, disability pensions, and family pensions and children's allowances.

VOLUNTEERS

Relief will be given for war injuries as also for injuries sustained by civil defence volunteers in the discharge of their duty as such volunteers. Certain normal rates of relief are provided for ordinary cases, but the scale of relief is raised when the injury is a war injury sustained by a civil defence volunteer or by a person compelled by the Government order to be present in the locality where such injury was sustained.

The amounts of relief are briefly as follows:

Temporary allowances: Payable for a period of not more than six months at the rate of Rs. 13-8 per month for an adult male (Rs. 18 per month in the case of civil defence volunteers, etc.).

Disability pensions: For a 100 per cent disability relief will be payable at Rs. 18-8 per month for an adult male (Rs. 18 in the case of civil defence volunteers, etc.) and this rate will be reduced where disability is not total. Thus in the case of a 50 per cent disability normal pension will be half of that payable in the case of total disability. When disablement is not more than 50 per cent, provision is made for the commutation of the allowance at 70 times the monthly payment.

Family pensions and children's allowances: The family pension is intended for the maintenance of the family as a whole and not for the person who is actually eligible to draw it and the eligible member will be entitled to draw for his life a family pension of Rs. 8 a month. The eligible members are in order of priority, widow, father, mother, legitimate son, and legitimate daughter. In addition, there will be children's allowances at the rate of Rs. 2 a month for male children under 15 and female children under 16, unless married earlier. The children's allowance will be continued in case the child is physically or mentally unable to support himself or herself. Family pensions will not be payable if death occurs more than seven years after the injury is caused. The normal rates of allowances and pensions for a woman will be 80 per cent of the adult pension and for a person under the age of 18, 75 per cent of the pension otherwise admissible. The pension of a person while under treatment in hospital will be reduced by 20 per cent.

SAFEGUARDS

Certain safeguards and restrictions laid down in the scheme provide that relief will generally be limited to the amount normally earned by the injured person before he sustained the injury. Family pensions and children's allowances together will be limited to the amount which the deceased might have drawn had he qualified for a disability pension assessed on 100 per cent disability.

The same person shall not be eligible to draw two payments under the scheme. If a person is eligible to draw a special pension or allowance from public funds he will be eligible to draw only the excess, if any, of a pension or allowance to which he will be entitled under the scheme. A civil defence volunteer will be debarred completely from relief in cases of desertion of post by him. Persons unreasonably refusing to undergo medical treatment or operation will generally be not eligible for relief, or the quantum of relief would be suitably reduced.

Payments of pensions and allowances will be made through post offices and will ordinarily be made quarterly and exceptional cases monthly.—A.P.

Submitted for perusal
6/1/42
Chief Secy) 6/1/42
Dewan) 6/1/42
O.F. MYSORE.
13/1/42
13/1
Secretary

THE MYSORE WAR INJURIES (EMERGENCY) ACT, 1941.

An Act to make provision for the grant of relief in respect of certain personal injuries sustained during the continuance of present hostilities.

WHEREAS the Government of His Highness the Maharaja are satisfied that circumstances existed which render it necessary to make immediate provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities;

NOW THEREFORE in exxrcise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940):

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore War Injuries (Emergency) Act, 1941. — Short Title, extent and commencement

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the subject or context,-- — Interpretatio

(1) "Civil defence organisation" means any organisation established for civil defence purposes which is declared by ~~xx~~ a scheme to be a civil defence organisation for the purposes of this Act and the scheme;

(2) "civil defence volunteer", in relation to an injury, means a person certified, by an officer of a civil defence organisation authorised by the Government to grant such certificates, to have been a member of that organisation at the time the injury was sustained;

(3) "continuance of the present hostilities' means the period beginning with the commencement of this Act and ending with such date as the Government may, by notification in the official Gazette, declare to be the date on which the present hostilities terminated;

(4) "gainfully occuped person" means a person who is engaged in any trade, business, profession, office, employment or vocation ~~or vocation~~

and is wholly or substantially dependent thereon for a livelihood, or a person who, though temporarily unemployed, is normally so engaged and dependent;

(5) "scheme" means a scheme made under this Act;

(6) "war injury"means a physical injury -

(a) caused by

(i) the discharge of any missile (including liquids and gas), or

(ii) the use of any weapon, explosive or other noxious thing, or

(iii) the doing of any other injurious act,

either by the enemy or in combating the enemy or in repelling an imagined attack by the enemy; or

(b) caused by the impact of any person or property of any enemy aircraft, or any aircraft belonging to of held by any person on behalf of or for the benefit of His Majesty the King Emperor or of His Highness the Maharaja or any allied power, or any part of, or anything dropped from, any such aircraft;

(7) "war service injury", in relation to a civil defence volunteer, means any physical injury shown to the satisfaction of the Government or other authority authorised to make payments under a scheme to have arisen out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time the injury was sustained, and (except in the case of a war injury) not to have arisen out of and in the course of his employment in any other capacity;

Provided that before being so satisfied, the Government or any other authority authorised to make payments under a scheme shall have received from the civil defence organisation of which the volunteer concerned was a member at the time the injury was sustained, a report, by an officer of the organisation authorised by the Government to make such reports, about the injury in question.

Power to make schemes for relief in respect of war injuries and war service injuries.

3. (1) The Government may make a scheme or schemes in accordance with the provisions of this Act providing for the grant of relief in respect of the following injuries sustained during the continuance of the present hostilities, namely:-

(a) war injuries sustained by gainfully occupied persons (with such exceptions, if any, as may be specified in the scheme) and by persons of such other classes as may be so specified; and

(b) war service injuries sustained by civil defence volunteers.

(2) A scheme may authorise the Government or any authority authorised by the Government to make payments under the scheme, in such circumstances and subject to such conditions as may be specified in the scheme, to make to or in respect of persons injured -

(a) payments by way of temporary allowance, which shall be payable only so long as the person injured is incapacitated for work by the injury and has not received any such payment as is mentioned in clause (b)

(b) payments otherwise than by way of temporary allowance, which shall be payable only where the injury causes serious and prolonged disablement or death; and

(c) payments for the purchase of or the grant at the cost of Government of artificial limbs or surgical or other appliances, and payments for medical and surgical treatment;

(3) A scheme may empower the Government to make rules for giving effect to the purposes of the scheme.

(4) A scheme may provide that it shall come into operation or shall be deemed to have come into operation on such date as may be specified therein.

(5) A scheme may be amended or rescinded at any time by the Government.

(6) Any decision of the Government or other authority empowered to make payments under a scheme as to the making, refusal or amount, or as to the continuance or discontinuance, of a payment under a scheme may be varied from time to time by a subsequent decision of the Government or such authority as the case may be, but save in so far as it is so varied shall be final and conclusive.

Relief from liability to pay compensation or damages.

4 (1) In respect of a war injury sustained during the continuance of the present hostilities by any person, and in respect of a war service injury sustained during that period by a civil defence volunteer, no such compensation or damages shall be payable, whether to

the person injured or to any other person, as apart from the provisions of this sub-section -

(a) would be payable under the Workmen's Compensation Act, 1928; or

(b) would, whether by virtue of any enactment or by virtue of any contract or at common law, be payable -

(i) in the case of a war injury, by any person, or

(ii) in the case of a war service injury sustained by a civil defence volunteer, by the employer of the volunteer, or by any person who has responsibility in connection with the volunteer's duties as such or by any other civil defence volunteer,.

ground that the injury in question was attributable to some ence, nuisance or breach of duty for which the person by whom the compensation or damages would be payable is responsible.

(2) The failure to give a notice or make a claim or commence proceedings within the time required by any enactment shall not be a bar to the maintenance of proceedings in respect of any personal injury, if -

(a) an application for the payment under a scheme has been duly made to the Government or other authority empowered to make payments under the scheme in respect of the injury; and

(b) the Court or other authority before which the proceedings are brought is satisfied that the said application was made in the reasonable belief that the injury was such that a payment could be made under the scheme; and

(c) the Government or other authority empowered to make payments under the scheme certifies that the application was rejected, or that payments made in pursuance of the application were discontinued, on the ground that the injury was not such an injury; and

(d) the proceedings are commenced within one month from the date of the said certificate.

Information as to earnings.

5 (1) Where it is necessary in order to determine the amount of any payment to be awarded under a scheme in respect of any injury, to ascertain the earnings of the person injured in respect of any period before he sustained the injury, the Government

5. A. (1) Any person managing any dispensary or hospital shall, if so required by the Government by general or special order,-- Medical attention in dispensaries and hospitals.

a) provide at the dispensary or hospital medical and surgical treatment for persons who have sustained injuries of the nature specified in sub-section (1) of Section 3; and,

b) keep such records and make such returns relating to the persons treated for such injuries as may be required by or under a scheme.

(2) If any person fails to comply when so required with the provisions of the scheme, is punishable with a fine which may extend to Rs.1,000/-.

or other authority authorised to make payments under the scheme may by notice in writing require -

(a) any person who was an employer of the injured person during that period, or

(b) any other person having any knowledge with respect to the financial circumstances of the injured person during that period,

to furnish in accordance with the notice any information in his possession relating to those earnings or circumstances, and to produce to any person specified in the notice any wage books, records or other documents in his possession containing entries with respect to those earnings.

(2) If any person -

(a) fails to comply with the requirements of any such notice, or

(b) in purported compliance with any such notice, knowingly or recklessly makes any untrue statement or untrue representation, or produces any document which is false in a material particular or calculated to deceive,

he shall be punishable with fine which may extend to three hundred rupees.

5A

6. Any person who, for the purpose of obtaining a payment or grant under a scheme, either for himself or for any other person, knowingly makes any untrue statement or untrue representation, shall be punishable with imprisonment for a term which may extend to three months. Penalty for false statement.

7. Any assignment of, or charge on, and any agreement to assign or charge any payment awarded or to be awarded under a scheme shall be void, and, on the insolvency of any person to whom such a payment has been awarded, the payment shall not pass to any trustee or other person acting on behalf of the creditors. Assignments or charges to be void.

R. S. VI.—S-III/14]

DRAFT.

SUBJECT.....

.....

.....

MD RR 1383

Section. Legis
File No. 46-4
Serial No. 1

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

Order No.....

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Ordered that the accompanying Act to make provision within the grant of relief in respect certain personal injuries sustained during the continuance of present hostilities which received the assent of His Highness the Maharaja, on the 21st day of January 1942, be published as Act No. XV of 1942, in the *Mysore Gazette* for general information.

Date of issue.....4-2-42.....

Signed by.....Mr. H. V. Narayana Rao.....

May this be—

(i) Printed? BKR 3242

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

HVN 2 3.2.42

Secretary to Government.
Law Department

To

The Compiler, *Mysore Gazette*, for publication in Part III of the Gazette, in English and Kannada and for supply of spare copies as per standing orders .....spare copies in English, and .....spare copies in Kannada to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication. ✓ Sht

Act ~~No~~ Act No XV of 1942

THE MYSORE [illegible] INJURIES (EMERGENCY) ACT, 1941.

An Act to make provision for the grant of relief in respect of certain personal injuries sustained during the continuance of present hostilities.

WHEREAS the Government of His Highness the Maharaja are satisfied that circumstances exist which render it necessary to make immediate provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940):

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore War Injuries (Emergency) Act, 1941. — Short Title, extent and commencement

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the subject or context,-- — Interpretation

(1) "civil defence organisation" means any organisation established for civil defence purposes which is declared by or under a scheme to be a civil defence organisation for the purposes of this Act and the scheme;

(2) "civil defence volunteer", in relation to an injury, means a person certified, by an officer of a civil defence organisation authorised by the Government to grant such certificates, to have been a member of that organisation at the time the injury was sustained;

(3) "continuance of the present hostilities" means the period beginning with the commencement of this Act and ending with such date as the Government may, by notification in the official Gazette, declare to be the date on which the present hostilities terminated.

(4) "gainfully occupied person" means a person who is engaged in any trade, business, profession, office, employment or vocation ~~or vocation~~

and is wholly or substantially dependent thereon for a livelihood, or a person who, though temporarily unemployed, is normally so employed and dependent;

(2) "scheme" means a scheme made under this ordinance Act;

(3) "war injury" means a physical injury -

(a) caused by

(i) the discharge of any missile (including liquids and gas), or

(ii) the use of any weapon, explosive or other noxious thing, or

(iii) the doing of any other injurious act,

either by the enemy or in combating the enemy or in repelling an imagined attack by the enemy; or

(b) caused by the impact of any person or property of any enemy aircraft, or any aircraft belonging to or held by any person on behalf of or for the benefit of His Majesty the King Emperor or of His Highness the Maharaja or any allied power, or any part of, or anything dropped from, any such aircraft;

(7) "war service injury", in relation to a civil defence volunteer, means any physical injury shown to the satisfaction of the Government or other authority authorised to make payments under a scheme to have arisen out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time the injury was sustained, and (except in the case of a war injury) not to have arisen out of and in the course of his employment in any other capacity;

Provided that before being satisfied the Government or any other authority authorised to make payments under a scheme shall have received from the civil defence organisation of which the volunteer concerned was a member at the time the injury was sustained, a report, by an officer of the organisation authorised by the Government to make such reports, about the injury in question.

Power to make schemes for relief in respect of war injuries and war service injuries.

3. (1) The Government may make a scheme or schemes in accordance with the provisions of this Act providing for the grant of relief in respect of the following injuries sustained during the continuance of the present hostilities, namely :-

(a) war injuries sustained by gainfully occupied persons (with such exceptions, if any, as may be specified in the scheme) and by persons of such other classes as may be so specified; and

(b) war service injuries sustained by civil defence volunteers.

(2) A scheme may authorise the Government or any authority authorised by the Government to make payments under the scheme, in such circumstances and subject to such conditions as may be specified in the scheme, to make to or in respect of persons injured -

(a) payments by way of temporary allowance, which shall be payable only so long as the person injured is incapacitated for work by the injury and has not received any such payment as is mentioned in clause (b)

(b) payments otherwise than by way of temporary allowance, which shall be payable only where the injury causes serious and prolonged disablement or death; and

(c) payments for the purchase of or the grant at the cost of Government of artificial limbs ~~xxxx~~ or surgical or other appliances, and payments for medical and surgical treatment

(3) A scheme may empower the Government to make ~~xxxx~~ rules for giving effect to the purposes of the scheme.

(4) A scheme may provide that it shall come into operation or shall be deemed to have come into operation on such date as may be specified therein.

(5) A scheme may be amended or rescinded at any time by the Government.

(6) Any decision of the Government or other authority empowered to make payments under a scheme as to the making, refusal or amount, or as to the continuance or discontinuance, of a payment under a scheme may be varied from time to time by a subsequent decision of the Government or such authority as the case may be, but save in so far as it is so varied shall be final and conclusive.

Relief from liability to pay compensation or damages.

4 (1) In respect of a war injury sustained during the continuance of the present hostilities by any person, and in respect of ~~xx~~ a war service injury sustained during that period by a civil defence volunteer, no such compensation or damages shall be payable, whether to

the person injured or to any other person, as apart from the provisions of this sub-section -

(a) would be payable under the Workmen's Compensation Act, 1928; or

(b) would, whether by virtue of any enactment or by virtue of any contract or at common law, be payable -

(i) in the case of a war injury, by any person, or

(ii) in the case of a war service injury sustained by a civil defence volunteer, by the employer of the volunteer, or by any person who has responsibility in connection with the volunteer's duties as such or by any other civil defence volunteer,

on the ground that the injury in question was attributable to some negligence, nuisance or breach of duty for which the person by whom the compensation or damages would be payable is responsible.

(2) The failure to give a notice or make a claim or commence proceedings within the time required by any enactment shall not be a bar to the maintenance of proceedings in respect of any personal injury, if -

(a) an application for the payment under a scheme has been duly made to the Government or other authority empowered to make payments under the scheme in respect of the injury; and

(b) the Court or other authority before which the proceedings are brought is satisfied that the said application was made in the reasonable belief that the injury was such that a payment could be made under the scheme; and

(c) the Government or other authority empowered to make payments under the scheme certifies that the application was rejected, or that payments made in pursuance of the applications were discontinued, on the ground that the injury was not such an injury; and

(d) the proceedings are commenced within one month from the date of the said certificate.

Information as to earnings.

5 (1) Where it is necessary in order to determine the amount of any payment to be awarded under a scheme in respect of any injury, to ascertain the earnings of the person injured in respect of any period before he sustained the injury, the Government

Medical attention in dispensaries and hospitals.

5. A. (1) ~~Any~~ The person managing any dispensary or hospital shall, if so required by the Government by general or special order.--

(a) provide at the dispensary or hospital medical and surgical treatment for persons who have sustained injuries of the nature specified in sub section (1) of section 3; and

(b) keep such records and make such returns relating to the persons treated for such ~~a~~ injuries as may be required by or under a scheme.

(2) If any person fails to comply when so required with the provisions of this section, ~~he~~ he shall be punishable with a fine which may extend

or other authority authorised to make payments under the scheme may by notice in writing require -

(a) any person who was an employer of the injured person during that period, or

(b) any other person having any knowledge with respect to the financial circumstances of the injured person during that period,

to furnish in accordance with the notice any information in his possession relating to those earnings or circumstances, and to produce to any person specified in the notice any wage books, records or other documents in his possession containing entries with respect to those earnings.

(2) If any person -

(a) fails to comply with the requirements of any such notice, or

(b) in purported compliance with any such notice, knowingly or recklessly makes any untrue statement or untrue representation, or produces any document which is false in a material particular or calculated to deceive,

he shall be punishable with fine which may extend to three hundred rupees.

5A

Penalty for false statement.

6. Any person who, for the purpose of obtaining a payment or grant under a scheme either for himself or for any other person, knowingly makes any untrue statement or untrue representation, shall be punishable with imprisonment for a term which may extend to three months.

Assignments or charges to be void.

7. Any assignment of, or charge on, and any agreement to assign or charge any payment awarded or to be awarded under a scheme shall be void, and, on the insolvency of any person to whom such a payment has been awarded, the payment shall not pass to any trustee or other person acting on behalf of the creditors.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

O R D E R No. RLM 1383 / Legis 46-41-1

Dated, Bangalore, 4th February 1942.

Ordered that the accompanying Act to make provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities, which received the assent of His Highness the Maharaja, on the 21st day of January 1942, be published as Act No.XV of 1942, in the Mysore Gazette for general information.

H.V. Narayana Rao

9/2 By SECRETARY to GOVERNMENT,
Law Department.

The Compiler, Mysore Gazette, for publication in part IV of the Gazette, in English and Kannada and for supply of spare copies as per Standing Orders. Proofs should be sent to this office for approval before publication.

Act No XII of 1942

THE MYSORE WAR INJURIES (EMERGENCY) ACT, 1941.

An Act to make provision for the grant of relief in respect of certain personal injuries sustained during the continuance of present hostilities.

WHEREAS the Government of His Highness the Maharaja are satisfied that circumstances existed which render it necessary to make immediate provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940):

It is hereby enacted as follows:-

1. (1) This Act may be called the Mysore War Injuries (Emergency) Act, 1941. Short Title, extent and commencement

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the subject or context,-- Interpretation

(1) "Civil defence organisation" means any organisation established for civil defence purposes which is declared by any scheme to be a civil defence organisation for the purposes of this Act and the scheme;

(2) "civil defence volunteer", in relation to an injury, means a person certified, by an officer of a civil defence organisation authorised by the Government to grant such certificates, to have been a member of that organisation at the time the injury was sustained;

(3) "continuance of the present hostilities" means the period beginning with the commencement of this Act and ending with such date as the Government may, by notification in the official Gazette, declare to be the date on which the present hostilities terminated;

(4) "gainfully occupied person" means a person who is engaged in any trade, business, profession, office, employment or vocation ~~or vocation~~

and is wholly or substantially dependent thereon for a livelihood, or a person who, though temporarily unemployed, is normally an employee and dependent;

(5) "scheme" means a scheme made under this Ordinance Act;

(6) "war injury" means a physical injury -

(a) caused by

(i) the discharge of any missile (including liquids and gas), or

(ii) the use of any weapon, explosive or other noxious thing, or

(iii) the doing of any other injurious act,

either by the enemy or in connection the enemy or in repelling an imagined attack by the enemy; or

(b) caused by the impact of any person or property of any enemy aircraft, or any aircraft belonging to or held by any person on behalf of or for the benefit of His Majesty the Tenno Emperor or of His Majesty the Kaiserja or any allied power, or any part of, or anything dropped from, any such aircraft;

(7) "war service injury", in relation to a civil defence volunteer, means any physical injury which to the satisfaction of the Government or other authority authorised to make payments under a scheme to or in respect of him out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time that injury was sustained, and (except in the case of a war injury) not to have arisen out of and in the course of his employment in any other capacity;

Provided that before any person shall be entitled to any payment under a scheme in respect of a war service injury the Government or any other authority authorised to make payments under a scheme shall have received from the civil defence organisation of which the volunteer concerned was a member at the time the injury was sustained, a report, by an officer of the organisation authorised by the Government to make such reports, about the injury in question.

Power to make schemes for relief in respect of war injuries and war service injuries.

3. (1) The Government may make a scheme or schemes in accordance with the provisions of this Act providing for the grant of relief in respect of the following injuries sustained during the continuance of the present hostilities, namely:-

(a) war injuries sustained by gainfully occupied persons (with such exceptions, if any, as may be specified in the scheme) and by persons of such other classes as may be so specified; and

(b) war service injuries sustained by civil defence volunteers.

(2) A scheme may authorise the Government or any authority authorised by the Government to make payments under the scheme, in such circumstances and subject to such conditions as may be specified in the scheme, to make to or in respect of persons injured -

(a) payments by way of temporary allowance, which shall be payable only so long as the person injured is incapacitated for work by the injury and has not received any such payment as is mentioned in clause (b)

(b) payments otherwise than by way of temporary allowance, which shall be payable only where the injury causes serious and prolonged disablement or death; and

(c) payments for the purchase of or the grant at the cost of Government of artificial limbs ~~xxxx~~ or surgical or other appliances, and payments for medical and surgical treatment

(3) A scheme may empower the Government to make ~~xxxx~~ rules for giving effect to the purposes of the scheme.

(4) A scheme may provide that it shall come into operation or shall be deemed to have come into operation on such date as may be specified therein.

(5) A scheme may be amended or rescinded at any time by the Government.

(6) Any decision of the Government or other authority empowered to make payments under a scheme as to the making, refusal or amount, or as to the continuance or discontinuance, of a payment under a scheme may be varied from time to time by a subsequent decision of the Government or such authority as the case may be, but save in so far as it is so varied shall be final and conclusive.

Relief from liability to pay compensation or damages.

4 (1) In respect of a war injury sustained during the continuance of the present hostilities by any person, and in respect of ~~xx~~ a war service injury sustained during that period by a civil defence volunteer, no such compensation or damages shall be payable, whether to

the person injured or to any other person, as apart from the provisions of this sub-section -

(a) would be payable under the Workmen's Compensation Act, 1928; or

(b) would, whether by virtue of any enactment or by virtue of any contract or at common law, be payable -

(i) in the case of a war injury, by any person, or

(ii) in the case of a war service injury sustained by a civil defence volunteer, by the employer of the volunteer, or by any person who has responsibility in connection with the volunteer's duties as such or by any other civil defence volunteer,

on the ground that the injury in question was attributable to some negligence, nuisance or breach of duty for which the person by whom the compensation or damages would be payable is responsible.

(2) The failure to give a notice or make a claim or commence proceedings within the time required by any enactment shall not be a bar to the maintenance of proceedings in respect of any personal injury, if -

(a) an application for the payment under a scheme has been duly made to the Government or other authority empowered to make payments under the scheme in respect of the injury; and

(b) the Court or other authority before which the proceedings are brought is satisfied that the said application was made in the reasonable belief that the injury was such that a payment could be made under the scheme; and

(c) the Government or other authority empowered to make payments under the scheme certifies that the application was rejected, or that payments made in pursuance of the applications were discontinued, on the ground that the injury was not such an injury; and

(d) the proceedings are commenced within one month from the date of the said certificate.

Information as to earnings.

5 (1) Where it is necessary in order to determine the amount of any payment to be awarded under a scheme in respect of any injury, to ascertain the earnings of the person injured in respect of any period before he sustained the injury, the Government

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5. A. (1) Any person managing any dispensary or hospital shall, if so required by the Government by general or special order.--

(a) provide at the dispensary or hospital medical and surgical treatment for persons who have sustained injuries of the nature specified in sub section (1) of section 3; and

(b) keep such records and make such returns relating to the persons treated for such injuries as may be required by

or other authority authorised to make payments under the scheme may by notice in writin require -

(a) any person who was an employer of the injured person during that period, or

(b) any other person having any knowledge with respect to the financial circumstances of the injured person during that period,

to furnish in accordance with the notice any information in his possession relating to those earnings or circumstances, and to produce to any person specified in the notive any wage books, records or other documents in his possession containing entries with respect to those earnings.

(2) If any person -

(a) fails to comply with the requirements of any such notice, or

(b) in purported compliance with any such notice, knowingly or recklessly makes any untrue statement or untrue representation, or produces any document which is false in a material particular or calculated to deceive,

he shall be punishable with fine which may extend to three hundred rupees.

6A —

6. Any person who, for the purpose of obtaining a payment or grant under a scheme either for himself or for any other person, knowingly makes any untrue statement or untrue representation, shall be punishable with imprisonment for a term which may extend to three months. Penalty for false statement.

7. Any assignment of, or charge on, and any agreement to assign or charge any payment awarded or to be awarded under a scheme shall be void, and, on the insolvency of any person to whom such a payment has been awarded, the payment shall not pass to any trustee or other person acting on behalf of the creditors. Assignments or charges to be void.

ACT NO. XV OF 1942.

THE MYSORE WAR INJURIES (EMERGENCY) ACT 1942.

An Act to make the provision for the grant of relief in respect of certain personal injuries sustained durin the continuance of the present hostilities.

Received the assent of His Highness the Maharaja ~~of Mysore~~ on the 21st day of January 1942.

WHEREAS the Government of His Highness the Maharaja are satisfied that circumstances exist which render it necessary to make immediate provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act 1940 (XVIII of 1940):

It is hereby enacted as follows :—

Short title extent and commencement.

1. (1) This Act may be called the Mysore War Injuries (Emergency) Act, 1942.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Interpretation.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) "civil defence organisation" means any organisation established for civil defence purposes which is declared by a scheme to be a civil defence organisation for the purposes of this Act and scheme;

(2) "civil defence volunteer", in relation to an injury, means a person certified, by an officer of a civil defence organisation authorised by the Government to grant such certificates, to have been a member of that organisation at the time the injury was sustained;

(3) "continuance of the present hostilities" means the period beginning with the commencement of this Act and ending with such date as the Government may, by notification in the official Gazette, declare to be the date on which the present hostilities terminated;

(4) "gainfully occupied person" means a person who is engaged in any trade, business, profession, office, employment or vocation and is wholly or substaintally dependent thereon for a livelihood, or a person who though temporarily unemployed is normally so engaged and dependent;

(5) "scheme" means a scheme made under this Act;

(6) "war injury" means a physical injury—

(*a*) caused by—

(i) the discharge of any missile (including liquids and gas), or

(ii) the use of any weapon, explosive or other noxious thing, or

(iii) the doing of any other injurious act, either by the enemy or in combating the enemy or in repelling an imagined attack by the enemy; or

(*b*) caused by the impact of any person or property of any enemy aircraft, or any aircraft belonging to of held by any person on behalf of or for the benefit of His Majesty the King Emperor or of His Highness the Maharaja or any Allied power, or any part of, or anything dropped from any such aircraft;

(7) "war service injury", in relation to civil defence volunteer, means any physical injury shown to the satisfaction of the Government or other autohrity authorised to make payments under a scheme to have arisen out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time the injury was sustained, and (except in the case of a war injury) not to have arisen out of and in the course of his employment in any other capacity:

Provided that before being so satisfied the Government or any other authority authorised to make payments under a scheme shall have received from the civil defence organisation of which the volunteer concerned was a member at the time the injury was sustained, a report, by an officer of the organisation authorised by the Government to make such reports, about the injury in question.

Power to make scheme for relief in respect of war injuries and war service injuries.

3. (1) The Government may make a scheme or schemes in accordance with the provisions of this Act providing for the grant of relief in respect of the following injuries sustained during the continuance of the present hostilities, namely:—

(*a*) war injuries sustained by gainfully occupied persons (with such exceptions, if any, as may be specified in the scheme) and by persons of such other classes as may be so specified; and

(*b*) war service injuries sustained by civil defence volunteers.

(2) A scheme may authorise the Government or any authority authorised by the Government to make payments under the scheme, in such circumstances and subject to such conditions as may be specified in the scheme, to make to or in respect of persons injured :—

(*a*) payments by way of temporary allowance, which shall be payable only so long as the person injured is incapacitated for work by the injury and has not received any such payment as is mentioned in clause (*b*).

(*b*) payments otherwise than by way of temporary allowance, which shall be payable only where the injury causes serious and prolonged disablement or death ; and

(*c*) payments for the purchase of or the grant at the cost of Government of artificial limbs or surgical or other appliances.

(3) A scheme may empower the Government to make rules for giving effect to the purposes of the scheme.

(4) A scheme may provide that it shall come into operation or shall be deemed to have come into operation on such date as may be specified therein.

(5) A scheme may be amended or rescinded at any time by the Government.

(6) Any decision of the Government or other authority empowered to make payments under a scheme as to the making, refusal or amount, or as to the continuance or discontinuance, of a payment under a scheme may be varied from time to time by a subsequent decision of the Government or such authority as the case may be, but save in so far as it is so varied shall be final and conclusive.

Relief from liability to pay compensation or damages.

4. (1) In respect of a war injury sustained during the continuance of the present hostilities by any person, and in respect of a war service injury sustained during that period by a civil defence volunteer, no such compensation or damages shall be payable, whether to the person injured or to any other person, as apart from the provisions of this sub-section—

(*a*) would be payable under the Workmen's Compensation Act, 1928 ; or

(*b*) would, whether by virtue of any enactment or by virtue of any contract or at common law, be payable—

(i) in the case of a war injury, by any person, or

(ii) in the case of war service injury sustained by a civil defence volunteer, by the empleyor of the volunteer, or by any person who has responsibility in connection with the volunteer's duties as such or by any other civil defence volunteer,

on the ground that the injury in question was attributable to some negligence, nuisance or breach of duty for which the person by whom the compensation or damages would be payable is responsible.

(2) The failure to give a notice or make a claim or commence proceedings within the time required by any enactment shall not be a bar to the maintenance of proceedings in respect of any personal injury, if:—

(a) an application for the payment under a scheme has been duly made to the Government or other authority empowered to make payments under the scheme in respect of the injury; and

(b) the Court or other authority before which the proceedings are brought is satisfied that the said application was made in the reasonable belief that the injury was such that a payment could be made under the scheme; and

(c) the Government or other authority empowered to make payments under the scheme certifies that the application was rejected, or that payments made in pursuance of the application were discontinued, on the ground that the injury was not such an injury; and

(d) the proceedings are commenced within one month from the date of the said certificate.

Information as to earnings.

5. (1) Where it is necessary in order to determine the amount of any payment to be awarded under a scheme in respect of any injury, to ascertain the earnings of the person injured in respect of any period before he sustained the injury, the Government or other authority authorised to make payments under the scheme may by notice in writing require:—

(a) any person who was an employer of the injured person during that period, or

(b) and other person having any knowledge with respect to the financial circumstances of the injured person during that period,

to furnish in accordance with the notice any information in his possession relating to those earnings or circumstances, and to produce to any person specified in the notice any wage books, records or other documents in his possession containing entries with respect to those earnings.

(2) If any person—

(a) fails to comply with the requirements of any such notice, or

(b) in purported compliance with any such notice, knowingly or recklessly makes any untrue statement or untrue representation, or produces any document which is false in a material particular or calculated to deceive,

he shall be punishable with fine which may extend to three hundred rupees.

Penalty for false statement.

6. Any person who, for the purpose of obtaining a payment or grant under a scheme either for himself or for any other person, knowingly makes any untrue statement or untrue representation, shall be punishable with imprisonment for a term which may extend to three months.

Assignments or charges to be void.

7. Any assignment of, or charge on, and any agreement to assign or charge any payment awarded or to be awarded under a scheme shall be void, and, on the insolvency of any person to whom such a payment has been awarded, the payment shall not pass to any trustee or other person acting on behalf of the creditors.

NOTIFICATION.

Order No. R. L. 1383—*Legis.* 46-41-1, *dated Bangalore, the 4th February* 1942.

Ordered that the accompanying Act to make provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities, which received the assent of His Highness the Maharaja, on the 21st day of January 1942, be published as Act No. XV of 1942, in the *Mysore Gazette* for general information.

H. V. NARAYANA RAO,
Secretary to Government,
Law Department.

ACT NO. XV OF 1942.

THE MYSORE WAR INJURIES (EMERGENCY) ACT, 1942.

An Act to make the provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities.

(*Received the assent of His Highness the Maharaja on the 21st day of January 1942.*)

WHEREAS the Government of His Highness the Maharaja are satisfied that circumstances exist which render it necessary to make immediate provision for the grant of relief in respect of certain personal injuries sustained during the continuance of the present hostilities;

NOW THEREFORE in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act 1940 (XVIII of 1940):

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore War Injuries (Emergency) Act, 1942. **Short title, extent and commencement.**

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Interpretation.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) "civil defence organisation" means any organisation established for civil defence purposes which is declared by a scheme to be a civil defence organisation for the purposes of this Act and the scheme;

(2) "civil defence volunteer", in relation to an injury, means a person certified, by an officer of a civil defence organisation authorised by the Government to grant such certificates, to have been a member of that organisation at the time the injury was sustained;

(3) "continuance of the present hostilities" means the period beginning with the commencement of this Act and ending with such date as the Government may, by notification in the official Gazette, declare to be the date on which the present hostilities terminated;

(4) "gainfully occupied person" means a person who is engaged in any trade, business, profession, office, employment or vocation and is wholly or substantially dependent thereon for a livelihood, or a person who, though temporarily unemployed, is normally so engaged and dependent;

(5) "scheme" means a scheme made under this Act;

(6) "war injury" means a physical injury—

(*a*) caused by—

(i) the discharge of any missile (including liquids and gas), or

(ii) the use of any weapon, explosive or other noxious thing, or

(iii) the doing of any other injurious act,

either by the enemy or in combating the enemy or in repelling an imagined attack by the enemy; or

(*b*) caused by the impact on any person or property of any enemy aircraft, or any aircraft belonging to or held by any person on behalf of or for the benefit of His Majesty the King Emperor or of His Highness the Maharaja or any allied power, or any part of, or anything dropped from any such aircraft;

(7) "war service injury", in relation to a civil defence volunteer, means any physical injury shown to the satisfaction of the Government or other authority

authorised to make payments under a scheme to have arisen out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time the injury was sustained, and (except in the case of a war injury) not to have arisen out of and in the course of his employment in any other capacity:

Provided that before being so satisfied the Government or any other authority authorised to make payments under a scheme shall have received from the civil defence organisation of which the volunteer concerned was a member at the time the injury was sustained, a report, by an officer of the organisation authorised by the Government to make such reports, about the injury in question.

Power to make schemes for relief in respect of war injuries and war service injuries.

3. (1) The Government may make a scheme or schemes in accordance with the provisions of this Act providing for the grant of relief in respect of the following injuries sustained during the continuance of the present hostilities, namely:—

(*a*) war injuries sustained by gainfully occupied persons (with such exceptions, if any, as may be specified in the scheme) and by persons of such other classes as may be so specified; and

(*b*) war service injuries sustained by civil defence volunteers.

(2) A scheme may authorise the Government or any authority authorised by the Government to make payments under the scheme, in such circumstances and subject to such conditions as may be specified in the scheme, to make to or in respect of persons injured—

(*a*) payments by way of temporary allowance, which shall be payable only so long as the person injured is incapacitated for work by the injury and has not received any such payment as is mentioned in clause (*b*).

(*b*) payments otherwise than by way of temporary allowance, which shall be payable only where the injury causes serious and prolonged disablement or death; and

(*c*) payments for the purchase of or the grant at the cost of the Government of artificial limbs or surgical or other appliances, and payments for medical and surgical treatment.

(3) A scheme may empower the Government to make rules for giving effect to the purposes of the scheme.

(4) A scheme may provide that it shall come into operation or shall be deemed to have come into operation on such date as may be specified therein.

(5) A scheme may be amended or rescinded at any time by the Government.

(6) Any decision of the Government or other authority empowered to make payments under a scheme as to the making, refusal or amount, or as to the continuance or discontinuance, of a payment under a scheme may be varied from time to time by a subsequent decision of the Government or such authority as the case may be, but save in so far as it is so varied shall be final and conclusive.

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4. (1) In respect of a war injury sustained during the continuance of the present hostilities by any person, and in respect of a war service injury sustained during that period by a civil defence volunteer, no such compensation or damages shall be payable, whether to the person injured or to any other person, as apart from the provisions of this sub-section—

(*a*) would be payable under the Workmen's Compensation Act, 1928; or

(*b*) would, whether by virtue of any enactment or by virtue of any contract or at common law, be payable—

(i) in the case of a war injury, by any person, or

(ii) in the case of a war service injury sustained by a civil defence volunteer, by the employer of the volunteer, or by any person who has responsibility in connection with the volunteer's duties as such or by any other civil defence volunteer,

on the ground that the injury in question was attributable to some negligence, nuisance or breach of duty for which the person by whom the compensation or damages would be payable is responsible.

(2) The failure to give a notice or make a claim or commence proceedings within the time required by any

enactment shall not be a bar to the maintenance of proceedings in respect of any personal injury, if—

(*a*) an application for the payment under a scheme has been duly made to the Government or other authority empowered to make payments under the scheme in respect of the injury ; and

(*b*) the Court or other authority before which the proceedings are brought is satisfied that the said application was made in the reasonable belief that the injury was such that a payment could be made under the scheme ; and

(*c*) the Government or other authority empowered to make payments under the scheme certifies that the application was rejected, or that payments made in pursuance of the application were discontinued, on the ground that the injury was not such an injury ; and

(*d*) the proceedings are commenced within one month from the date of the said certificate.

Infor as to ings.

5. (1) Where it is necessary in order to determine the amount of any payment to be awarded under a scheme in respect of any injury, to ascertain the earnings of the person injured in respect of any period before he sustained the injury, the Government or other authority authorised to make payments under the scheme may, by notice in writing, require—

(*a*) any person who was an employer of the injured person during that period, or

(*b*) any other person having any knowledge with respect to the financial circumstances of the injured person during that period,

to furnish in accordance with the notice any information in his possession relating to those earnings or circumstances, and to produce to any person specified in the notice any wage books, records or other documents in his possession containing entries with respect to those earnings.

(2) If any person—

(*a*) fails to comply with the requirements of any such notice, or

(*b*) in purported compliance with any such notice, knowingly or recklessly makes any untrue statement or untrue representation, or produces

any document which is false in a material particular or calculated to deceive,

he shall be punishable with fine which may extend to three hundred rupees.

Medical attention in dispensaries and hospitals.

5A. (1) The person managing any dispensary or hospital shall, if so required by the Government by general or special order,—

(*a*) provide at the dispensary or hospital medical and surgical treatment for persons who have sustained injuries of the nature specified in sub-section (1) of section 3, and

(*b*) keep such records and make such returns relating to the persons treated for such injuries as may be required by or under a scheme.

(2) If any person fails to comply when so required with the provisions of this section he shall be punishable with fine which may extend to one thousand rupees.

Penalty for false statement.

6. Any person who, for the purpose of obtaining a payment or grant under a scheme either for himself or for any other person, knowingly makes any untrue statement or untrue representation, shall be punishable with imprisonment for a term which may extend to three months.

Assignments or charges to be void.

7. Any assignment of, or charge on, and any agreement to assign or charge any payment awarded or to be awarded under a scheme shall be void, and, on the insolvency of any person to whom such a payment has been awarded, the payment shall not pass to any trustee or other person acting on behalf of the creditors.

N. MADHAVA RAU,

Dewan.

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

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Vol 2208

No. F.87-41/W.

OFFICE OF THE SECRETARY
9 MAR 1942
REPRESENTATIVE ASSEMBLY
LEGISLATIVE COUNCIL

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 6th March *1942.*

SECY. LAW DEPT.
9 MAR 1942
GOVT OF MYSORE

"War Injuries Ordinance, 1941".

SIR,

I am directed to acknowledge, with thanks, the receipt of six copies of the Mysore War Injuries (Emergency) Act, 1942, forwarded with your letter dated the 26th February 1942.

2. I am to enquire whether the Government of Mysore have made Schemes under the Act similar to the British India War Injuries Scheme.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

908/M

Vol 2244

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

OFFICE OF THE SECRETARY
M.2.V.
No. F.87-41/W
12 MAR. 1942
RESIDENCY AND LEGISLATIVE BOARD

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore.

Dated Bangalore, the 11th March *194* 2.

SECY. LAW DEPT.
12 MAR 1942
GOVT. OF MYSORE

War Injuries Scheme and Regulations

SIR,

I am directed to refer to paragraph 2 of my letter No.F.87-41/W, dated the 6th March 1942 and to request that, if there is no objection, measures similar to British Indian War Injuries Scheme and Regulations may kindly be introduced in the Mysore State.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.
KRLv

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

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.....

General and Revenue Secretariat
R. A. & L. C.
( )

Section
File No.
Serial No.

No. R.1729

Diary No. of letter replied to .....

To The Secretary to the Hon'ble the Resid
in Mysore,

"War Injuries Scheme and Regulation

Sir,

With reference to ~~your last~~ the correspondence
with your letter No F 87-41/W dated 11th March
1942 on the above subject, I am
directed to state that steps ~~have~~
are being
~~already~~ ~~been~~ taken to introduc
Scheme and Regulations under the
Mysore War Injuries (Emergency) Act
1942, at an early date, ~~generally~~
on the same lines as the British India
War Injuries Scheme and Regulation
I am to add that copies of the Sche
Scheme and Regulations will be
forwarded to you as soon as they are

Date of issue 14.3.1942

Signed by Mr. B. K. R

List of enclosures .....

Copied by .....

Examined by .....

finally published
introduced here

?

I have ele

BSA

for Secy to Lyon

Law Dept

1-3-42

BSA
1.12.

14th March 1942.

Pol 1729

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

"War Injuries scheme and Regulations."

With reference to the correspondence ending with your letter No. F.87-41/W. dated 11th March 1942 on the above subject, I am directed to state that steps are being taken to introduce a scheme and Regulations under the Mysore War Injuries (Emergency) Act, 1942, at an early date, on the same lines as the British Indian War Injuries Scheme and Regulations. I am to add that copies of the said scheme and Regulations will be forwarded to you as soon as they are finally published.

I have the honour to be,
Sir,
Your most obedient servant,

BKR

Jr Secretary to Government,
Law Department.

KSH

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

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Diary No. of letter replied to .....

General and Revenue Secretariat
R. A. & L. C.
( )

Date of issue 23. 4. 1942

Signed by Mr. B. K. R

List of enclosures .....

Copied by .... CKS 23/4

Examined by .....

Section

File No.

Serial No.

No. Pol 2010 Edn 2

To The Secretary to the Hon'ble the Resident in Mysr

"War Injuries Scheme and Regulation

Sir,

In continuation of this office letter No Pol 1729 dated 14th March 19 on the above subject, I am directe to forward herewith two copies of th "War Injuries Scheme, ~~1942~~ 1942", and two "War Injuries Regulations, ~~1942~~ 1942" issued under the Mysore War Injuries (Emergency) Act, ~~II~~ of 1942, ~~and to request that the receipt of the same may kindly be acknowledge~~

I have the

BKR

for Secy to Govt
Law Dept

23-4-42

Rd 2010 Encls 2

23rd April 1942.

The

Law Department.

Subject:- "War Injuries Scheme and Regulations"

In continuation of this office letter No.Pol.1729, dated the 14th March 1942, on the above subject, I am directed to forward herewith two copies of the "War Injuries Scheme, 1942" and the "War Injuries Regulations, 1942" issued under the Mysore War Injuries (Emergency) Act, XV of 1942.

I have the honour to be,
Sir,
Your most obedient servant,

Jr Secretary to Government,
Law Department.

Mr. H. V. NARAYANA RAO, B.A., LL.B.
Secretary to Government,
Law Department.

PUBLIC OFFICES,

Bangalore, ...30th..March...1942.

No. R. L. 2042.

Dear Sir,

I am desired to request you to kindly republish in Part IV of the next issue of the Mysore Gazette, Notification No. R.L. 1992/Legis. 46.41.2 dated 25th March 1942, and Notification No. R.L. 1993/Legis. 46-41-3 dated 25th March 1942 in regard to War Injuries Scheme and Regulations which have appeared in Part III-of the Gazette, dated 26th March 1942, and also to request that 500 copies of the same be supplied to this office in the form of a booklet.

I am also to request that the Select Committee report on the Maintenance Order Enforcement Bill which has also been published in Part III-I of the Gazette dated 26th March 1942 be published in Part IV of the next issue of the Gazette.

Yours sincerely,

BXR

B. Krishnaswamy Chetty, Esq., B.E., A.R.P.S., M.A.S.M.E.,
~~*Superintendent, Government Printing, and*~~
Compiler, Mysore Gazette, Bangalore.

BXR
Fair Draft

Appendix F G—1]
R. A. & L. C.

SUBJECT.....

.....

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Section

File No.

Serial No.

No. R.L. 2042.

Diary No. of letter replied to .....

To The compiler, Mysore Gazette

Dear Sir,

General and Revenue Secretariat
R. A. & L. C.
( )

I am desired to request you to kindly republish in part IV of the next issue of the Mysore gazette, Notification No R.L. 1992 hej is 46-41-2 dated 25th March 19 and Notification No R.L. 1993 | hej 46-41-3 dated 25th March 1942 in regard to War Injuried Scheme and Regulations which have appeared in part III-1 of this gazette dated 26th March 1942, and also to request that 500 copies of the same be supplied to this Office in the form of a booklet

Date of issue 30.3.42

Signed by M.B.K. Ramakrishnaiya

List of enclosures .....

Copied by .....

Examined by .....

I am also to request that

the Select committee report on the

Maintenance Order Enforcement

Which has also been published in part II (1) of the Gazette dated 26-5-42

Bill ~~be also~~ published in part IV

of the next issue of the Gazette

yours sincerely

~~BMR~~

Secy to Govt

Law Dept

LAW SECRETARIAT.

Notification.....dated 4th March 1942.

In exercise of the powers conferred by sub-section (1) of section 3 of the War Injuries (Emergency) Act, 1942, the Government of His Highness the Maharaja are pleased to make the following Scheme, namely :—

PART I.

Introductory.

Short title and commencement.

1. (1) This Scheme may be called the War Injuries Scheme, 1942.
(2) It shall come into force on 1st January 1942.

Interpretation.

2. (1) The General Clauses Act, 1899 (X of 1897, III of 1899), applies to the interpretation of this Scheme as it applies to the interpretation of an Act or Regulation.
(2) In this Scheme,—
(*a*) "Act" means the Mysore War Injuries (Emergency) Act, XV of 1942 ;
(*b*) "civil defence organisation" means any such organisation as is mentioned in clause 3 of this Scheme ;
(*c*) "claims officer" means any authority appointed by the Government to make payments under this Scheme ;
(*d*) "competent medical authority" means any medical authority appointed for the purposes of this Scheme by the Government ;
(*e*) "injury for which relief may be given on the higher scale" means an injury which is—
(i) a war injury sustained by a civil defence volunteer, which is shown to the satisfaction of the Claims Officer to have arisen out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time the injury was sustained, or
(ii) a war injury sustained by a gainfully occupied or other person compelled by Government order to be present in the locality where (and at the time when) such injury was sustained ;
(*f*) "public funds" means money provided by the Government or by a local authority ;
(*g*) "qualifying injury" means an injury in respect of which a payment under this Scheme may be made.

Civil defence organisations for purposes of Act and Scheme.

3. It is hereby declared that the organisations of persons specified in the Schedule I to this Scheme are "civil defence organisations" for the purposes of the Act and this Scheme.

Injuries in respect of which awards may be made.

4. Subject to the provisions of this Scheme a payment under this Scheme may be made in respect of any injury sustained during the continuance of the present hostilities which is—
(*a*) a war service injury sustained by a civil defence volunteer, or
(*b*) a war injury sustained by a gainfully occupied person, or
(*c*) a war injury sustained by any such other person or person of such other class as may be notified in this behalf by the Government, or
(*d*) a war injury causing death, sustained by a person substantially dependant for his livelihood on a pension, annuity or other income ceasing with his death.

PART II.

Temporary Allowances.

Award of temporary allowance.

5. Where a qualifying injury has incapacitated a person for work for a period of not less than seven consecutive days that person shall be entitled to be awarded in respect of that injury an allowance (in this Scheme referred to as a temporary allowance) in accordance with the following provisions of this Scheme.

Conditions of payment of temporary allowance.

6. A temporary allowance shall be payable only for so long as the person to whom it has been awarded is incapacitated for work by the injury in respect of which it has been awarded, and shall in no case be continued after the end of the sixth month from the date on which the injury was sustained.

Mode of payment.

7. Temporary allowances shall be paid half-monthly in arrears on the 1st and 16th of each month. If the incapacity for work ceases during a half-monthly period, no payment shall be made unless during that period the incapacity has existed for not less than seven days, in which case the payment shall be proportionately reduced.

Rates of temporary allowances.

8. Temporary allowances shall, subject to the provisions of clause 32 of this Scheme be payable at the following rates, namely :—

(*a*) where the injury is one for which relief may be given on the higher scale, at the half-monthly rate of nine rupees ;

(*b*) in the case of any other injury, at the half-monthly rate of six rupees and twelve annas.

Temporary allowance not to be drawn with disability pension.

9. A temporary allowance shall cease to be payable to a person on the date on which a disability pension under Part III of this Scheme becomes payable to him.

Failure to draw temporary allowance.

10. Any payment by way of temporary allowance not drawn within three months from the date on which it might first have been drawn shall cease thereafter to be payable :

Provided that if the Claims Officer is satisfied that there were good and sufficient reasons for the failure to draw the payment, he may condone the delay.

Awards in cases to which clause 30 applies.

11. When a person who, but for the provisions of clause 30 of this Scheme, would have been entitled to be awarded a temporary allowance, reaches the age of fifteen, before the end of the sixth month from the date on which the qualifying injury was sustained, he shall, subject to all the provisions of this Chapter, then become entitled to be awarded a temporary allowance.

PART III.

Disability Pensions to Persons who have sustained injuries causing serious and prolonged disablement.

Disability pensions.

12. Where a qualifying injury sustained by a person causes him serious and prolonged disablement, he shall be entitled to be awarded in respect of that injury a pension (in this Scheme referred to as a disability pension), in accordance with the following provisions of this Scheme.

Assessment of degree of disablement.

13. (1) For the purpose of assessing the rate of disability pension, disablements shall be expressed in percentages as set forth in the Schedule II to this Scheme. Where there is more than one disablement the total disablement shall be expressed as the sum of the disablements, so however as not in any case to exceed 100 per cent.

(2) When the wound, injury or illness causing the disablement is one not provided for in the Schedule II to this Scheme, the disablement shall be estimated by a competent medical authority at the percentage shown in the said Schedule most closely corresponding to it.

Rates of disability pensions.

14. (1) Where the disablement resulting from a qualifying injury is expressed or estimated as 20 per cent, or over, a disability pension shall, subject to the provisions of clause 32, be awarded at the following rates, namely :—

Where the percentage of disablement is	*If the injury is one for which relief may be given on the higher scale.*	*If the injury is not one for which relief may be given on the higher scale.*
	Rs. per mensem.	Rs. per mensem.
100	18	13 8 0
90	16	12 0 0
80	14	10 8 0
70	13	9 12 0
60	11	8 4 0
50	9	6 12 0
20 to 40	8	6 0 0

(2) Where the disablement is not more than 50 per cent, the Claims Officer may, if he is satisfied that the injured person is not debarred from all means of livelihood, substitute for the disability pension a lump sum payment calculated at 70 times the monthly payment specified in the foregoing sub-clause.

Commencement of disability pension, revision of award after two years or otherwise.

15. (1) If before the end of the sixth month from the date on which the injury was received, the competent medical authority certifies that the disablement caused to a person by a qualifying injury is permanent and incapable of diminution, the Claims Officer may at once award to that person, in accordance with sub-clause (1) of clause 14, a disability pension payable for life, or in accordance with sub-clause (2) of clause 14, a lumpsum payment.

(2) If at the end of the six months from the date on which the injury was received, or at any time within those six months when the injured person ceases to be entitled to a temporary allowance, it remains uncertain whether the disablement is permanent and incapable of diminution, the pension shall in the first instance be awarded for two years only, and, on the expiry of those two years, shall be awarded for life in accordance with the assessment then made by the competent medical authority of the percentage of disablement subsisting.

(3) Where a disability pension, but not a lumpsum payment in substitution therefor, has been awarded, and thereafter the disablement increases to a higher percentage than that on which the award was based, and such increase is certified by a competent medical authority to be attributable to the original qualifying injury, the Claims Officer may increase the disability pension to the appropriate higher rate with effect from the date on which the increased disablement is established by the certificate of the competent medical authority.

(4) Where a disability pension, but not a lumpsum payment in substitution therefor, has been awarded, and thereafter the disablement decreases to a lower percentage than that on which the award was based, the Claims Officer may decrease the disability pension to the appropriate lower rate with effect from the date on which the decreased disablement is established by the certificate of the competent medical authority.

Mode of payment.

16. Disability pensions shall be payable quarterly in arrears:

Provided that if the Claims Officer considers that this course may result in hardship in any particular case he may order that the pension shall be payable monthly in arrears.

Cancellation of award on failure to draw pension.

17. (1) Where a person to whom a disability pension has been awarded, fails to draw that pension for a continuous period of not less than twelve months, the Claims Officer shall cancel the award, and no payment of the arrears of that pension shall be made.

(2) Where a person, to whom a lump sum payment has been awarded under sub-clause (2) of clause 14 fails to draw that sum within twelve months from the date of the award, the Claims Officer shall cancel the award and no further claim to pension or to lump sum payment shall be entertained:

Provided that if the Claims Officer is satisfied that there were good and sufficient reasons for the failure referred to in sub-clause (1) of this sub-clause, he may condone the failure.

Awards in cases to which clause 30 applies.

18. When a person who, but for the provisions of clause 30 of this Scheme, should have been entitled to be awarded a disability pension, reaches the age of fifteen, he shall then become entitled to be awarded a disability pension, the amount of the award being based on his disablement as assessed at the time he reached the age of fifteen.

PART IV.

Family Pensions and Children's Allowances.

Family pensions and children's allowances purpose and amount.

19. (1) When a person dies as the result of a qualifying injury, there shall be payable, in accordance with the following provisions of this Scheme—

(*a*) to one surviving eligible member of his family a pension, in this Scheme referred to as a family pension, and

(*b*) to each of his legitimate children an allowance in this Scheme referred to as a child's allowance.

(2) A family pension, though payable to one surviving eligible member of a family only, is intended for the support of all survivinge ligible members of the family.

(3) The amount of a family pension shall, subject to the provisions of clause 32 of this Scheme, be eight rupees monthly.

(4) The amount of the child's allowance shall, subject to the provisions of clause 32 of this Scheme, be two rupees monthly for each child so long as a family pension continues to be paid to any surviving eligible member of the family, and three rupees monthly for each child if no family pension is being paid.

(5) If the person to whom a family pension is payable is a minor, the pension shall be paid for the benefit of the eligible members of the family to the legal guardian of such a person.

(6) A child's allowance payable to a minor child shall, unless the Claims Officer otherwise directs, be paid for the benefit of the child to the person to whom the family pension under the award is payable, or if such person is himself a minor or if no family pension is payable under the award, to the legal guardian of the child.

Members of a family who are eligible.

20. "Eligible member of a family" means, in relation to a person dying as the result of a qualifying injury,—

(*i*) his widow lawfully married by a valid ceremony;

(*ii*) his father;

(*iii*) his mother;

(*iv*) a legitimate son but not an adopted son;

(*v*) a legitimate daughter but not an adopted daughter;

provided in each case that none of the conditions necessary for eligibility under clause 21 is infringed.

Conditions of eligibility.

21. The following are the conditions governing the eligibility of the five classes of persons mentioned in clause 20:—

(1) A widow shall not be eligible if she remarries, unless such marriage is with her deceased husband's brother and she continues to live a communal life with, or to contribute to the support of, other living eligible members.

(2) The father shall not be eligible if at the time of the qualifying injury he is below the age of 50, unless he is physically or mentally unable to support himself, but he becomes eligible on attaining the age of 50.

(3) The mother shall not be eligible if at the time of the qualifying injury the father of the deceased is still alive, but shall become eligible on his death for so long as she remains unmarried. If she is a widow at the time of the qualifying injury she shall continue to be eligible only so long as she remains unmarried. If at the time of the qualifying injury she was already remarried to a husband other than the father of the deceased she shall be eligible and shall continue to be eligible if thereafter widowed for so long as she remains unmarried.

(4) A son shall not be eligible if he is above the age of 15 unless he is physically or mentally unable to support himself.

(5) A daughter shall not be eligible, if she has a husband living, or marries.

Family pension by whom to be received.

22. (1) Where there are surviving eligible members of more than one of the classes specified in the list in clause 20, the family pension shall be payable to the member specified earliest in that list, of two or more widows the longest married taking precedence, and of two or more children the eldest taking precedence.

(2) Where there is no widow surviving and the family pension has not been made payable to the father of the deceased solely because the father had not yet reached the age of fifty, it shall unless it has under the provisions of sub-clause (3) of this clause ceased to be payable, be made payable to him on his attaining the age of fifty, subject to the sub-clause next following.

(3) When the member to whom the family pension is payable under the foregoing provisions of this clause dies or ceases to be eligible, then, whether there are other eligible members surviving or not, the family pension shall cease altogether to be payable except as provided in clause 25.

(4) No claim to receive a family pension shall be entertained if made by a member who has, by the time the claim is preferred, already ceased to be eligible.

Date from which family pension takes effect.

23. A family pension when awarded shall become payable as from the day following that on which the qualifying injury causing the death was sustained:

Provided that where the family member, to whom the pension would have been payable on that day, has, before the Claims Officer has made the award, died or ceased to be eligible and the pension has consequently become payable to another member, the pension shall be payable to the last mentioned member as from the day following that on which the first mentioned member died or ceased to be eligible, and the arrears from the day following that on which the qualifying injury occurred up to the day on which the first mentioned member died or ceased to be eligible shall, subject to the provisions governing the payment of belated claims, be paid to the first mentioned member or his estate:

Provided further that if, before the Claims Officer has made the award, all the members who were eligible on the day following that on which the qualifying injury occurred have died or ceased to be eligible, the Claims Officer shall have full power to dispose of any arrears as he may think fit.

Division of family pensions.

24. (1) If the Claims Officer is satisfied, on application made to him, that the member to whom a family pension is payable refuses to contribute reasonably to the support of the other eligible members of the family or that a family pension payable to a child is not being utilised for the benefit of the other eligible member of the family, he may divide the pension at his discretion among all the eligible members and make it payable as so divided to each member individually.

(2) Any such division shall not affect the provisions contained in sub-clause (3) of clause 22 but, so long as the member to whom the pension is originally awarded continues to be alive and eligible, if any member receiving one of the divided portions of the pension dies or ceases to be eligible, his share shall be added to the amount distributable to the member or members still surviving and eligible.

(3) A division under this clause shall not ordinarily be made at the instance of children in receipt of children's allowances, but the Claims Officer may even in such a case at his discretion make a division of the family pension to avert special hardship.

Continuance of family pension.

25. (1) A family pension which ceases to be payable under sub-clause (3) of clause 22 may, either in whole or in part, be continued by the Claims Officer or be made again payable, if he is satisfied that by the cessation of the pension the father or mother of the deceased or both who would but for the operation of that sub-clause have been at the time eligible members of the family, are left destitute.

(2) If the Claims Officer decides to continue or restore a family pension under the foregoing provisions of this clause, the pension shall be payable, from such date as the Claims Officer may fix, not being earlier than the date on which the application for continuance or restoration is first received by the Claims Officer, to the father if living and would have been eligible at the time but for the operation of sub-clause (3) of clause 22 or, if the father is not living, to the mother if she would have been eligible at the time but for the operation of these sub-clauses; but the amount of the pension shall be reduced by the amount of any income from permanent sources available to the father or mother or both.

(3) A family pension so continued or restored shall cease altogether to be payable when the person to whom it is continued or restored dies or ceases to be eligible.

Duration of payment of children's allowances.

26. A child's allowance shall cease to be payable—

(*a*) to a male on his attaining the age of 15, and

(*b*) to a female on her attaining the age of 16 or on her marriage, whichever of these dates is the later.

Provided that the Claims Officer may, if satisfied that the person to whom the allowance is payable is physically or mentally unable to support himself, continue the allowance, so however that it shall cease to be payable to a female on her marriage.

Mode of payment of family pensions and children's allowances

27. Family pensions and children's allowance shall be paid quarterly in arrears:

Provided that, if the Claims Officer considers that this course might result in hardship in any particular case, he may order that the pension or allowance shall be payable monthly in arrears.

28. No award of family pension or child's allowance shall be made in any case where the death giving rise to the claim occurs more than seven years after the date on which the qualifying injury causing the death was sustained. No award when death occurs more than seven years after injury.

29. Where a family pension or a child's allowance which has been awarded has not been drawn for a continuous period of not less than 12 months, the Claims Officer shall cancel the award, and no payment of the arrears of that pension or allowance shall be made :

Provided that if the Claims Officer is satisfied that there were good and sufficient reasons for the failure to draw the pension or allowance during each period he may condone the failure.

PART V

PROVISIONS APPLICABLE TO AWARDS GENERALLY.

30. No payment under this Scheme shall, save as provided in clauses 11 and 18, be made in respect of any war injury sustained by a gainfully occupied person who is under the age of fifteen. No awards in respect of war injuries to gainfully occupied persons under fifteen years of age.

31. (1) Except where the Claims Officer in any special case otherwise directs, an award under this Scheme shall not be made unless an application for that award is made in the manner prescribed by the regulations made under this Scheme and within the following periods, namely :— Applications for awards.

(*a*) where the claim is for a temporary allowance to a person incapacitated for work, a period of three months from the date of the qualifying injury or if the incapacity first supervened after that period, a period of three months from the inception of the incapacity ;

(*b*) where the claim is for a disability pension, a period of three months from the date of the qualifying injury, or if the injury necessitated immediate treatment in hospital, a period of three months from the date of discharge from hospital ;

(*c*) where the claim is for a family pension or child's allowance, a period of three months from the date of the death of the person whose death gave rise to the claim.

(2) The Claims Officer may refuse to entertain any application for any allowance or pension under this scheme in respect of a qualifying injury sustained by a person who has, without sufficient cause, failed to present himself for treatment at a hospital, dispensary or first-aid post.

32. (1) The amount awarded to a person as temporary allowance when incapacitated or as disability pension when disabled, shall be subject to the following modifications, namely :— Limitations on amount of awards.

(*a*) where such person is a woman, the amount shall be reduced by 20 per cent.

(*b*) while such person is under the age of 18, the amount which would otherwise be payable shall be reduced by 25 per cent.

(*c*) while such person is under treatment in a hospital, the amount which would otherwise be payable shall be reduced by 20 per cent.

(2) The amount awarded as family pension or children's pensions or both in respect of a person dying as the result of a qualifying injury shall not exceed the amount which might have been awarded to that person had he qualified for a disability pension assessed on a disablement of 100 per cent.

33. Where the person entitled to a temporary allowance, disability pension, family pension or child's allowance in respect of a qualifying injury is in receipt of a pension or allowance from public funds paid to him by reason of his having sustained that qualifying injury or as the case may be by reason of the death of another person as the result of that qualifying injury, he shall be allowed to draw only the amount, if any, by which the pension or allowance to which he is entitled under this scheme exceeds the pension or allowance referred to, received by him from public funds. Payment under this Scheme not to be drawn in addition to other payment from public funds.

34. No person in receipt of an allowance or pension under this Scheme shall be allowed to draw another allowance or pension of a different kind under this Scheme until the allowance or pension previously drawn is surrendered. Two payments under this Scheme not to be drawn by same person.

35. (1) No award under this Scheme shall be made in respect of— Awards when not to be made.

(*a*) an injury sustained whether in or outside Mysore by a person resident outside Mysore, or

(*b*) an injury sustained by a person ordinarily resident in Mysore while absent from Mysore for personal, domestic or pleasure purposes :

Provided that nothing in this sub-clause shall preclude the making of an award in respect of—

(*i*) a war injury sustained by a civil defence volunteer, or

(*ii*) a war injury sustained by a person ordinarily resident in Mysore while travelling by sea or by air between any one place in Mysore and any other place in Mysore, or

(*iii*) a war injury sustained in Mysore by a person ordinarily resident outside Mysore.

(2) The Claims Officer may withhold or cancel the award of any payment under this Scheme, if he is satisfied that the person to whom the award might be or has been made is or has become ordinarily resident outside Mysore.

36. Where the qualifying injury, or where the incapacity for work, disablement or death resulting from a qualifying injury is shown to the satisfaction of the Claims Officer to be mainly Effect of contributory negligence.

attributable to the negligance or misconduct of the person sustaining the injury, the Claims Officer may with hold or cancel any award which might be or has been made under this Scheme in respect of their injury or may reduce the amount of the award.

Effect of desertion of post by member of civil defence organisation.

37. When the person sustaining a qualifying injury is a member of a civil defence organisation and it is shown to the satisfaction of the Claims Officer that such person when required by Government order to be present in a certain locality, or at a certain post failed to be present or being present failed to remain in that locality or at that post as the case may be, the Claims Officer may withhold or cancel any award which might be or has been made under this Scheme in respect of that injury.

Effect of refusal to undergo medical treatment or operation.

38. Where a person who has sustained a qualifying injury refuses to undergo medical treatment or an operation calculated to restore his health or to cure or reduce a disablement caused by the qualifying injury, and a competent medical authority certifies that such refusal is in the circumstances unreasonable, then :—

(*a*) if the person dies, and a competent medical authority certifies that the death was due to the refusal to undergo medical treatment or an operation, no family pension or child's allowance shall be awarded ;

(*b*) if a competent medical authority certifies that medical treatment or an operation will cure the disablement caused by the qualifying injury, no disability pension shall be awarded ; and

(*c*) if a competent medical authority certifies that medical treatment or an operation will reduce the disablement to a lower percentage, a disability pension appropriate to that lower percentage only shall be awarded.

Obligation to submit to medical examination.

39. (1) Any person in respect of a temporary allowance or disability pension shall, if required by the Claims Officer by notice in wirting so to do, submit himself for medical examination by the competent medical authority :

Provided that a person shall not be required so to present himself—

(*a*) if in receipt of a temporary allowance, at intervals of less than two months, or

(*b*) if in receipt of a disability pension which has not been awarded for life, at intervals of less than six months, or

(*c*) if in receipt of a disability pension which has been awarded for life, at intervals of less than two years.

(2) Where any person refuses or, without resonable cause, fails to submit himself for medical examination when required so to do under sub-clause (1), the Claims Officer may cancel with effect from the date of such refusal or failure, the award of allowance or pension made to that person.

(3) Where the award has been cancelled under sub-clause (2), the Claims Officer may refuse to entertain any subsequent application for an allowance or pension under the Scheme in resfect of the injury for which the cancelled award was made.

Where payee is incapable of managing his own affairs.

40. If the person to whom a pension or allowance under this Scheme has been awarded has not attained the age of eighteen years, or if he is, in the opinion of the Claims Officer, mentally infirm so as to be incapable of managing his own affairs, or if in any other case the Claims Officer considers it in the interest of that person, the Claims Officer, may either of his own motion or on application made to him, pay the pension or allowance to any other person whom the Claims Officer thinks best fitted to provide for the welfare of the person to whom the award has been made, or may apply the amount in any other manner for his benefit.

Cancellation of award on conviction for an offence.

41. Where a person to whom a pension or allowance under this Scheme might be or has been awarded is convicted by a Court of an offence and sentenced to a term of imprisonment or detention Borstal school, the Claims Officer may withhold or cancel the award ;

Cliams Officer's power to review and alter awards.

42. The Claims Officer may at any time review any award made under this Scheme and if it appears to him by reason of a mistake of fact or a change in the condition or circumstances of the person to whom the award has been made or for any other reason whatsoever it is expedient so to do, he may increase or reduce the rate of any pension or allowance awarded or cancel the award or make a fresh award :

Provided that no pension or allowance shall be increased beyond the limits specified in, or for the purposes of, this Scheme.

Decisions under this Scheme.

43. All matters falling to be decided under this Scheme in connection with the award of payments under the Scheme shall, where other specific provision is not made in this Scheme, be decided by the Claims Officer ; but in all matters relating to the extent or effect of injuries the existence or non-existence of incapacity for work, and degrees of disablement, the Claims Officer shall decide in accordance with the opinion of, or a certificate given by, a competent medical authority.

Power of Government. to vary rates

44. The Government may at any time by notification in the Official Gazette alter the rate of payments which may be awarded under this Scheme.

Exceptional cases of hardship.

45. Exceptional cases of hardship not covered by the provisions of this Scheme may be submitted by the Claims Officer to the Government which may make such orders as it thinks fit.

Payment for medical and surgical treatment.

46. The Government or any officer authorised by the Government may, in accordance with any regulations made in this behalf, make payments for medical and surgical treatments provided for persons who have sustained qualifying injuries.

47. The Government may make regulations for giving effect to the purposes of this Scheme

Power of Government to make regulations.

SCHEDULE I.

1. The following organisations when established by the Mysore Government :—

(*a*) Auxiliary Fire Service.
(*b*) Control and Report Service.
(*c*) Air-raid Warden Service.
(*d*) Fire Prevention Service.
(*e*) First aid, Casualty and Ambulance Serivce.
(*f*) Rescue Service.
(*g*) Gas identification Service.
(*h*) Decontamination Service.
(*i*) Messenger Service.
(*j*) Instructor Service.
(*k*) Mortuary Service.

2. The following organisations when recognised for the purposes of this Scheme by the My Government :—

Private Organisations to carry out any of the following services :—

(i) Decontamination Service.
(ii) Messenger Service.
(iii) Fire Service.
(iv) Raid Spotter Service.
(v) Keymen Service.
(vi) Public Utility Emergency Repairs Service
(vii) Auxiliary Nursing Service (A. R. P. Branch)

SCHEDULE II.

(1) For the purpose of the assessment of the rate of disability pension, disabilities shall be expressed in percentages as follows :—

erial No.	*Specific injury*	*Per cent*
1.	Loss of two or more limbs	100
	Loss of an arm and an eye	
	Loss of a leg and an eye	
	Loss of both hands or of all fingers and thumbs	
	Loss of both feet	
	Loss of a hand and a foot	
	Loss of two or more limbs	
	Total loss of sight	
	Total paralysis	
	Lunacy	
	Wounds, injuries or disease resulting in disabled man being permanently bed-ridden	
	Wounds of, or injuries to, internal, thoracic or abdominal organs, involving total permanent disabling effects	
	Wounds of, or injuries to, head or brain involving total permanent disabling effects or Jacksonian epilepsy.	
	Very severe facial disfigurement	
	Advanced cases of incurable disease	
2.	Amputation of right arm through shoulder	90
	Amputation of leg at hip or below hip with stump not exceeding 5 inches in length mesuared from tip of great trochanter; of right arm below shoulder with stump not exceeding 6 inches measured from tip of acromion; or of left arm through shoulder.	
3.	Lisfranc operation, both feet	
	Amputation of leg below hip with stump exceeding 5 inches in length measured from tip of great trochanter but not below middle thigh; or left arm below shoulder with stump not exceeding 6 inches measured from tip of acromion; or of right arm below shoulder with stump exceeding 6 inches measured from tip of acromion, through elbow, or below elbow, with stump not exceeding 5 inches measured from tip of olecranon.	

Serial No.	*Specific injury*	*Per cent*
4.	Severe facial disfigurement	70
	Total loss of speech	
	Amputation of leg below middle thigh, through knee or below knee with stump not exceeding 4 inches; of left arm below shoulder with stump exceeding 6 inches mesaured from tip of acromion, through elbow, or below elbow, with stump not exceeding 5 inches measured form tip of olecranon; or of right arm below elbow with stump exceeding 5 inches measured from tip of olecranon.	
5.	Total deafness	60
	Amputation of leg below keen with stump exceeding 4 inches	
6.	Amputation of left arm below elbow with stump exceeding 5 inches measured from tip of olecranon.	50
	Loss of thumb or four fingers of right hand	
	Loss of vision of one eye	
7.	Lisfranc operation one foot	40
	Loss of all toes both feet above knuckle	
	Loss of thumb or four fingers of left hand or three fingers of right hand	
8.	Loss of all toes of one foot above knuckle	30
	Loss of all toes of both feet at or below knuckle	
9.	Limited restriction of movement of joints through injury without penetration, limited function of limb through fracture	20
	Loss of two fingers of eigher hand	
	Compound fracture of thumb or two or more fingers of either hand with impaired function.	

(ii) When the wound, injury or illness causing the disability is not entered in the above schedu le disability shall be assessed by the medical board at the percentage shown in the above schedule m os ıely corresponding to it.

Notification dated 4th March 1942.

In exercise of the powers conferred by clause 47 of the War Injuries Scheme, the Government of His Highness the Maharaja are pleased to make the following regulations, namely :—

Title. 1. These Regulations may be called the War Injuries Regulations, 1942.

Interpretation. 2. In these Regulations "Scheme" means the War Injuries Scheme, 1942, "Form" means a Form appended to these Regulations and other expressions have the same meaning as in the Act or the Scheme.

Casualty Reports. 3. (*a*) Every leader of a first-aid party shall attach to each casualty a tie-on label in Form A1.

(*b*) Every officer in charge of a first-aid post shall maintain a record of cases coming to his post in Form A2.

(*c*) Every person in charge of a hospital or dispensary shall maintain a record of war injuries or war service injuries treated and documents in the Forms B1, B2, B3 and B4. He shall also maintain a list of patients under treatment in Form B5.

(*d*) Every officer, in charge of a first-aid post or person in charge of a hospital or dispensary shall, as soon as possible, after the admission of a person sustaining a war injury or a war service injury, send a signed report in the appropriate Form to the Claims Officer.

(*e*) It shall be the duty of the police to ascertain the name and other particulars of all persons who are killed or who die before admission to hospital and report the circumstances to the Claims Officer, and every police officer shall make such further reports as the Claims Officer may from time to time call upon him to do.

Medical Authorities. 4. (*a*) The Government may constitute Medical Authorities, for such areas and for such purposes of the Scheme and these Regulations as it may deem necessary, and consisting of such number of persons as it may think fit. Members of such Medical Authorities shall be registered medical

practitioners or Medical Officers of Government, and if there is more than one member in any Authority, one of them shall be appointed by the Government to be the President.

(*b*) The Claims Officer may refer any medical question to the Medical Authority for its opinion.

(*c*) For the purposes of certification of incapacity for work the Claims Officer shall ordinarily obtain a certificate from a medical officer not lower in rank than an Assistant Surgeon or such other medical practitioner as may be specified by Government.

(*d*) The Claims Officer shall ordinarily refer all cases relating to the grant of pensions to the Medical Authority.

Applications for temporary allowances.

5. An application for a temporary allowance shall be made in Form C to the Claims Officer by the person who has sustained the qualifying injury, through the person in charge of the hospital or dispensary where he received or is receiving treatment, or if he did not receive treatment in any hospital or dispensary, through the officer in charge of the First Aid Post at which he received attention or the officer in charge of the Police Station or First Aid Post to which the facts of his injury were reported.

Applications for disability pensions.

6. (*a*) An application for a disability pension shall be made in Form D to the Claims Officer by the person who has sustained the qualifying injury, through the person in charge of the hospital or dispensary where he last received or is receiving treatment, or if he has not been treated in any hospital or dispensary, through the Medical Officer of Government or the registered medical practitioner who last treated him for the injury, and shall be countersigned by such person, officer or practitioner.

(*b*) No application for a disability pension shall be entertained unless it is supported by a certificate of disability in Form E granted by a Medical Authority; application therefor shall be made to the Medical Authority for the area in which the injured person resides by the injured person, or if he is incapable of making it himself, on his behalf by another person.

Applications for family pensions and children's allowances.

7. An application for a family pension or for a family pension and children's allowance shall be made in Form F to the Claims Officer by the person to whom payment thereof, if sanctioned, would be made under the provisions of the Scheme.

General provisions for applications to Claims Officer.

8. Where the Claims Officer is satisfied that a person by whom an application should be made is for sufficient reason incapable of making the same, the Claims Officer may entertain an application made on such person's behalf by any other person.

Awards.

9. The Claims Officer, on receiving an application for an allowance or pension under the Scheme and after considering the reports and certificates pertaining to the case and after obtaining such other evidence, if any, as he considers necessary, shall make his award in Form G. He shall briefly record separately the reasons for his award. A signed copy of the award shall be given to the person to whom the award is made and another copy shall be sent to the post office where the payment is to be made.

Power to call or evidence, etc.

10. The Claims Officer shall have the power to examine witnesses and call for such evidence as he considers necessary in the same manner as a civil court under the provisions of the Code of Civil Procedure, 1911 (Act III of 1911) and shall have, in particular, the powers conferred by section 32 of that Code.

Payment of allowances and pensions.

11. (*a*) All allowances and pensions under the Scheme shall be payable at the treasury within whose jurisdiction the payee ordinarily resides.

(*b*) All allowances and pensions shall be drawn within one month of the date when they are due. The Treasury Officer concerned may, however, at his discretion, make payment of full arrears within one year of the due date. The Deputy Commissioner of the District within which the treasury is situated may at his discretion sanction the grant of any arrears.

(*c*) All such payments shall from time to time be endorsed on the award by the Treasury Officer.

Transfer of place of payment.

12. On an application made to him by or on behalf of the holder of an award of any pension or allowance, the Claims Officer may, for sufficient reason, transfer the place of payment and shall endorse the award accordingly. He shall also inform the Treasury Officers concerned of the transfer so effected.

Proof of continued elgibility.

13. (*a*) With every award when presented for payment, there shall be produced a certificate of life pertaining to the beneficiary or beneficiaries under the award, signed by a Gazetted Officer of Government, a Magistrate or a Police officer not below the rank of a Sub-Inspector. Where the claimant is undergoing treatment as an in-patient at a Hospital or dispensary, the certificate shall be signed by the person in charge thereof:

Provided that where a beneficiary is present at the time of payment of an allowance or pension under the Scheme, no life certificate in respect of him shall be required but his identity shall be proved to the satisfaction of the Treasury officer.

(*b*) On every occasion when the award of a family pension or of a family pension and children's allowance is presented for payment, the person to whom the same is payable shall give a certificate in Form H.

Reports of in eligibility.

14. (*a*) If any person to whom any pension or allowance is payable ceases under any of the provisions of the Scheme to be eligible to receive the same, or if any circumstances arise since the

making of the award or last modification thereof to require under any of the said provisons the cancellation or modification of the award, a report shall forthwith be made to the Claims Officer by the person to whom the pension or allowance has hitherto been payable, and pending the orders of the Claims Officer on such report, the award shall not be presented for any further payment thereon.

(*b*) On receipt of any such report, the Claims officer shall, after making such inquiries, if any, as he may deem necessary, cancel or modify the award in accordance with the provisions of the Scheme, and shall inform the post office of payment accordingly.

FORM A-1.

Casualty Label.

Obverse.

Date
Name — Casualty Book No.
Father's or Husband's name
Injury

T M H G X

Treatment.
Morphia. Dose and Time.
Instructions:

T—Tourniquet
M—Morphia
H—Hæmorrhage
G—Gas and contamination.

X—Immediate attention.

Officer in charge.

Reverse.

(Red and Green lables).

Red: *Direct to HOSPITAL.*

Green: *To First Aid Post.*

* Cross out where applicable.
If C. D. V. on duty
off duty

(State source of information).

Reverse.

(White labels).

White: *Walking Case.*

This card should be given to patients with minor injuries, sent home after treatment, with instructions, where necessary to present it at the nearest hospital for further treatment (on same or the next day).

The Casualty Book number should be entered on the card.

FORM A-2.

This copy to be preserved at F.A.P.

CASUALTY BOOK.

F. A. Post. — No.
Town and District.
Date and time of arrival.
Name. — Age. — Sex.
Father's or Husband's name.
Community. — Caste.
Occupation. — If C.D.V. on duty / off duty
Address.
By whom brought.
Nature and cause of injury
(Note if gassed).
Treatment.
A. T. Serum.
Morphia, dose and time.
Disposal.

Medical Officer-in-charge.

When an injured person is sent home after treatment this form should be completed before he leaves the F.A. post and he should be given a casualty label on which should be entered the casualty book number.

This copy to be sent to the Local A.R.P. Headquarters which will forwrad it to the War Injuries Claims Officer.

CASUALTY BOOK.

F. A. Post. — No.
Town and District.
Date and time of arrival.
Name. — Age. — Sex.
Father's or Husband's name.
Community. — Caste.
Occupation — If C.D.V. on duty / off duty
Address.
By whom brought.
Nature and cause of injury
(Note if gassed).

Disposal.

Medical Officer-in-charge.

This copy should be completed and forwarded to the Local A. R. P. Headquarters as soon as possible.

FORM B-1.

This copy to be retained in Hospital.

WAR CASUALTY.

In-patient Book.

No.

Hospital
Town and District.
Date of admission.
Name. Age. Sex.
Father's or Husband's name. Caste.
Community.
Address.
Occupation (Note if C.D.V.)
Where first treated (with date).
F.A. Post at.....
By whom brought.
Date of injury.
Name and probable cause of injury.
(Note if gassed).
Name and address of next of kin.
Date of discharge.

transfer to out-patient Department.

Medical Officer.

This copy to be sent to War Injuries Claims Officer through local A. R. P. Headquarters.

WAR CASUALTY.

In-patient Book.

No.

Hospital
Town and District.
Date of admission.
Name. Age. Sex.
Father's or Husband's name. Caste.
Community.
Address.
Occupation (Note if C.D.V.).
Where first treated (with date).
F.A. Post at.....
By whom brought.
Date of injury.
Name and probable cause of injury.
(Note if gassed).
Name and address of next of kin.
Date of dischrge.

transfer to out-patient Department.

Medical Officer.

FORM B-2.

This copy to be retained in Hospital.

WAR CASUALTY.

Out-patient Book.

Hospital/Dispensary. No.

Town and District.
Name. Age.
Father's or Husband's name Caste.
Community.
Address.
Occupation (note if C.D.V.).
Where first treated (with date).
F. A. Post.
Casualty Book No.
Whether ex-Inpatient.
Date of injury.
Probable cause of injury.
Date of 1st treatment in O. P. D.
Whether incapacitated for work.

Medical Officer.
Date.

Keep this carefully and take it with you when you go to the Hospital.

Dates for further treatment and Discharge.

Date | Whether incapacitated for work. | Signature of M. O.

... to be sent to the Claims Officer through local A. R. P. Headquarters.

WAR CASUALTY.

Out-patient Book.

Hospital/Dispensary. No.

Town and District.
Name. Age.
Father's or Husband's name. Caste.
Community.
Address.
Occupation (note if C.D.V.).
Where first treated (with date).
F. A. Post.
Casualty Book No.
Whether ex-Inpatient.
Date of injury.
Probable cause of injury.
Date of 1st treatment in O. P. D.
Whether incapacitated for work.

Medical Officer.
Date.

To be kept in the Hospital and filled up on each occasion when the patient is treated.

When discharged with "Discharged" and the date.

Particulars of any refusal to undergo treatment should be noted.

Dates of further treatment and Discharge.

Date. | Whether incapacitated for work. | Signature of M. O.

This copy to be given to the Patient.

WAR CASUALTY.

Out-patient Book.

Hospital/Dispensary. No.

Town and District. Age.
Name.
Father's or Husband's name Caste.
Community.
Address.
Occupation (note if C.D.V.).
Where first treated (with date).
F. A. Post.
Casualty Book No.
Whether ex-Inpatient.
Date of injury.
Probable cause of injury.
Date of 1st treatment in O. P. D
Whether incapacitated for work.

Medical Officer.
Date.

FORM B 3.

WAR CASUALTY.

Discharge Certificate.

Name (Capitals) : Age :

Father's or Husband's name :

Address :

was under In / Out patient treatment from to

at Hospital. / Dispensary

Town..... District .....

Casualty Book No.- ..... Out-patient Record No.....

In-patient Record No.....

Suffering from.....

.....

the result of war injury on

at

and was discharged on

Date.....

.....Hospital.

P. T. O.

REVERSE.

This form should be prepared in triplica

(1) *for the patient.*

(2) *for the War Injuries Claims Officer.*

(3) *for the Hospital Record, or to be placed in large envelope.*

Signature or Thumb impression of the patient on this to act as a receipt).

1. Whether patient refused to undergo any medical treatment YES

2. Whether still incapacitated for work YES / NO

3. Particulars of disability due to war injury still continuing, if any....

.....

4. Whether disability is capable of improvement YES / NO / DOUBTFUL.

FORM B-4.

WAR CASUALTY.

Cover for Medical History Documents.

Full Name (in capitals). *Father's or Husband's name.*

Community: Caste:

Age Occupation:

(Note if C. D. V.)

Address:

Date and place of injury:

Name and address of next of kin:

In-patient Record No.....

Name of Hospital, Town and District.	*Date of*		*Admission Record No.*
	Admission	*Discharge or Transfer.*	

This envelope will be prepared by the hospital to which a patient is first admitted and all medical documents relating to the case will be placed in this envelope, which with its contents should be transferred with the patient on transfer to another hospital, and on final discharge or death it should be transmitted under cover to.....

FORM B-5.

Statement of In / Out patients with war injuries under treatment on the 1st / 15th of.....19

Serial No.	Name	Father's or husband's name	Age and Sex M.	Age and Sex F.	Community	Caste	Whether out-patient (O. P.) or in-patient (I. P.).	No. in I. P. Book	No. in O. P. Book and date of last treatment	Whether incapacitated for work on date of last treatment	Remarks

NOTES.— 1. If an out-patient fails to attend for a period of 14 days the fact should be noted in the "Remarks" column.

2. If a patient fails to attend for one month the fact should be noted, and his name should not be included in later lists

Medical Officer.

Dispensary,

Hospital.

FORM C.

Application for Temporary Allowance.

Claimant's full name (in capitals).

Name of Father (in the case of married woman. of husband).

Age — Date of birth.

Caste. — Profession.

Residence. — Nationality.

What rate of allowance is claimed and justification for the claim.

Income before injury and source of the income.

Income after injury and source of the income.

Place where injury sustained. — Date of injury.

Cause of injury in detail.

Details of injury.

Whether attended to by A. R. P. volunteer, civic guard, police or other organisation, if so details.

If taken to dispensary or hospital, which and when.

If discharged from dispensary or hospital, whe—

Did the injured person refuse medical treatment at a hospital or dispensary, and if so, why ?

If attended to at residence by a medical practitioner details of place where treated and name of medical practitioner.

Period of incapacity of work.

If temporary allowance and or pension is being or has been drawn by the injured person, details thereof.

If the claimant draws or has drawn any special disability pension or allowance from public funds, details thereof.

I certify that the information furnished above is true to the best of my knowledge and belief.

I certify that I am not in receipt of any pension or allowance under the War Injuries Scheme, 1941 (other than that referred to above).

I desire to draw the allowance, if sanctioned, at.....

Post Office.

(Signature of claimant).

Applicant's name.

Father's or husband's name.

Community or caste.

In-patient Book No.

Out-patient Book No.

Date of admission as in-patient.

Date of first treatment as out-patient.

If discharged, date of discharge.

Period during which, according to the hospital records, the applicant was incapacitated for work (dates).....From.....to.....

Whether at present incapacitated for work and, if so, probable period during which incapacity will continue.

Did patient refuse any medical treatment ? if so, give particulars.

Medical Officer,
Hospital

Date ..... Dispensary.

FORM D.

Application for Disability Pension.

Claimant's full name (in capitals).

Name of Father (in the case of married woman, of husband).

Age. Date of birth.

Caste. Profession.

Residence. Nationality.

What rate of pension is claimed and justification for the claim.

Income before injury and source of the income.

Income after injury and source of the income.

Place where injury sustained. Date of injury.

Cause of injury in detail.

Details of injury.

Whether attended to by A. R P. volunteer, civic guard, police or other organisation, if so, details.

If taken to dispensary or hospital, which and when.

If discharged from dispensary or hospital, when.

Did the injured person refuse medical treatment at a hospital, or dispensary and if so, why ?

If attended to at residence by a medical practitioner, details of place where treated and name of medical practitioner.

If any temporary allowance and/or pension is being or has been drawn by the injured person, details thereof.

If the claimant draws or has drawn any special disability pension or allowance from public funds, details thereof.

I desire to draw the pension, if sanctioned at.....Post Office

I certify that the information furnished above is true to the best of my knowledge and belief.

I certify that I am not in receipt of any pension or allowance under the War Injuries Scheme, 1941 (other than referred to above).

(Signature of claimant)

FORM E.

Certificate of Disability.

Medical Authority.

Name of injured person (in capitals).

Name of Father (in case of married woman, of her husband).

Age. Residence.

Caste. Profession.

Nationality.

Date of examination by the authority.

Particulars of disability and probable cause.

Degree of disability in terms of clause 11 of the War Injuries Scheme, 1941.

Is the disability capable of improvement ?

If not, estimate probable further duration of disability and state if the person should be put up for examination again, and when.

Signature of Members of the Authority.

FORM F.

Application for Family Pension and Children's Allowance.

Applicant's full name (in capitals).

Name of Father (in the case of married woman, of husband).

Age. Date of birth.

Caste. Profession.

Residence. Nationality.

Relationship with deceased.

Income of applicant before death of deceased and source of such income.

Income of applicant after death of deceased and source of such income.

Full name of deceased (in capitals).

Place of death.

Cause of death.

Was deceased attended to by A. R. P. volunteer, civic guard, police or other organisation—If so, details.

If deceased received any medical treatment, details thereof including place where received.

If deceased died in any hospital or dispensary, state details

If not give any other proof of death, *e.g.*, affidavits, o rany certificates by a gazetted officer, Magistrate or Sub-Inspector of Police.

Did deceased draw any allowance under the War Injuries Scheme, 1941, prior to death, if so details as to award, rate and amount drawn prior to death.

Is any special pension or allowance awarded from public funds in respect of the death of the deceased.

If deceased has any of the following relatives living at the time of his death, give details* in respect of *each*:—widow or widows, father, mother, actual and legitimate son(s), actual and legitimate daughter(s). State also, if any, has since died, or whether any female relative has since married or unmarried.

Date of birth. Age. } In the case of all e
Residence. If staying elsewhere than } tives.

with applicant state details.

In the case of daughter—whether married.

In the case of children—Guardian, if any, other than applicant.

If any of the said relatives or the applicant—

(i) draws any other pension from public funds, state details as to source and amount.

(ii) holds any appointment under Government or local authority, state details and rate of emoluments.

Amount and particulars of the claim made :—

I desire to draw the pension and (allowances), if sanctioned, at..... Post Office.

I certify that the information furnished in the statement is true to the best of my knowledge and belief.

I certify that I am not in receipt of any pension or allowance under the War Injuries Scheme, 1941.

(Signature of claiman

*If necessary, this may be done on a sheet to be attached and signed.

FORM G.

Award under the War Injuries Scheme, 1941.

Claimed Officer for (area)

Name.

Name of person receiving war injury / killed

Residence.

Age. Profession.

Caste.

Nationality.

Pension or allowance in favour of (block capitals).

Name of father of such person (in the case of married woman, of husband).

Description of such person.

Age. Residence.

Caste. Profession.

Nature of award (state whether temporary allowance, disability pension, or family pension and children's allowance).

Amount of pension or allownace Rs. per

In the case of children's allowance, particulars of amount and children in respect of whom made stating their dates of birth.

Guardian, if any.

Period for which pension is sanctioned, with the date of commencement.

Payable at.....Treasury.

On the.....of each.....

Date and signature of Claims Officer.

Forwarded to the payee through the Deputy Commissioner of.....
.....District.

Period	Amount	Signature or thumb impression of payee.	Signature of Post master Treasure Ofiicer or other authorised officer	Dates stamp of office
(1)	(2)	(3)	(4)	(5)

FORM H.

Certificate of Continuing Eligiblity.

I,.....(name, father's or husband's name and address).....
being the person to whom the family pension [and children's allowance(s) sanctioned under Award No.....is/are payable, hereby certify—

(i) that I remain eligible under the provisions of the War Injuries Scheme, 1941, to receive the same, and

) that no circumstances have arisen since the making(of the last modification)of the said Award which under any of the said provisions would operate to require the cancellation or (further) modification of the said Award.

Date.....

.....

(Signature or thumb impression).

(To be countersigned, in cases where the payee is not present in person at the post office of payment, by a Gazetted Officer of Government, a Magistrate or a Police Officer not below the rank of Sub-Inspector).

B. I. C. 2]

19/4/42

No. 4957/41-42
Encl. one

BOARD OF INDUSTRIES & COMMERCE.

Bangalore, dated 1st May *194*

From N.V. Siddalingappa, Esq., M.Sc.,
Secretary, Board of Industries & Commerce,
BANGALORE.

To

Rajasevaprasakta
A.N. Raghavachar, Esq., M.A.,
Financial Secretary to the Government
of Mysore, Bangalore.

Sir,

Subject:- War Injuries Scheme.

I am directed to submit herewith an extract from the Proceedings of the Meeting of the Board of Industries and Commerce held on 23rd March 1942, on the above subject, for the information of Government.

I have the honour to be,
Sir,
Your most obedient servant,
N. V. Siddalingappa
Secretary.

Ks.

Extract from the Proceedings of the Meeting of the Board of Industries and Commerce held on 23rd March 1942.

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8. WAR INJURIES SCHEME.

Mr. A. Nisbett referred to the special War Injuries Ordinance issued by the Government of India on 25th July 1941, to relieve employers of their liability under the Workmen's Compensation Act or by virtue of a contract or common law to pay compensation for War Injuries, and to the Scheme of relief published under that Ordinance, viz., the War Injuries Scheme, 1942, which came into force from 1st January 1942. He suggested that the Government of Mysore might consider a similar scheme in the Mysore State, or ask the Government of India to apply it to the Mysore State.

The Chairman invited the attention of the members to The Mysore War Injuries (Emergency) Act, 1942 (Act No.XV), which received the assent of His Highness the Maharaja on 21st January 1942, and stated that the scheme of relief referred to in Section of the said Act was under the consideration of Government. The Scheme was almost on the lines of the Government of India Scheme with some slight modifications in compliance with the provisions of the Workmen's Compensation Act in Mysore. He expected that the scheme would come up very soon and necessary further action would be taken. (Scheme since published in The Mysore Gazette of 26th March, 1942 - To come into force from 1st April, 1942).

"COPY"

M. V. Ramaswamy

Secretary,
Board of Industries and Commerce.

ks)3.

GOVERNMENT OF INDIA
DEPARTMENT OF LABOUR

- - -

Notification

Dated New Delhi, the 16th March 1942.

- - -

No.L.1882.- In exercise of the powers conferred by sub-section (1) of section 3 of the War Injuries Ordinance, 1941 (No.VII of 1941), the Central Government is pleased to direct that the following further amendments shall be made in the War Injuries Scheme, 1942, namely: -

In Schedule I to the said Scheme: -

(a) in paragraph 2, after item (VII), the following items shall be inserted, namely: -

"(viii) Control and Report service
(ix) Air-raid Warden service.
(x) Fire Prevention or Watchers service.
(xi) First aid, Casualty and Ambulance services (including drivers).
(xii) Rescue service.
(xiii) Instructor service".

(b) the following paragraph shall be added: -

3. The Civil Pioneer Force.

Sd. H.C.Prior,
Secretary to the Government of India.

LAW SECRETARIAT.

Notification No. R. L. 1992—*Legis.* 46-41-2, *dated* 25*th March* 1942.

In exercise of the powers conferred by sub-section (1) of section 3 of the War Injuries (Emergency) Act, 1942, the Government of His Highness the Maharaja are pleased to make the following scheme, namely :—

PART I.

Introductory.

Short title and commencement.

1. (1) This Scheme may be called the War Injuries Scheme, 1942.
(2) It shall come into force on 1st April 1942.

Interpretation.

2. (1) The General Clauses Act, 1899 (III of 1899), applies to the interpretation of this Scheme as it applies to the interpretation of an Act or Regulation.

(2) In this Scheme,—

(*a*) " Act " means the Mysore War Injuries (Emergency) Act, XV of 1942 ;

(*b*) " civil defence organisation " means any such organisation as is mentioned in clause 3 of this Scheme ;

(*c*) " claims officer " means any authority appointed by the Government to make payments under this Scheme ;

(*d*) " competent medical authority " means any medical authority appointed for the purposes of this Scheme by the Government ;

(*e*) " injury for which relief may be given on the higher scale " means an injury which is—

(i) a war injury sustained by a civil defence volunteer, which is shown to the satisfaction of the Claims Officer to have arisen out of and in the course of the performance by the volunteer of his duties as a member of the civil defence organisation to which he belonged at the time the injury was sustained, or

(ii) a war injury sustained by a gainfully occupied or other person compelled by Government order to be present in the locality where (and at the time when) such injury was sustained ;

(*f*) " public funds " means money provided by the Government or by a local authority ;

(*g*) " qualifying injury " means an injury in respect of which a payment under this Scheme may be made.

Civil defence organisations for purposes of Act and Scheme.

3. It is hereby declared that the organisations of persons specified in the Schedule I to this Scheme are " civil defence organisations " for the purposes of the Act and this Scheme.

Injuries in respect of which awards may be made.

4. Subject to the provisions of this Scheme a payment under this Scheme may be made in respect of any injury sustained during the continuance of the present hostilities which is—

(*a*) a war service injury sustained by a civil defence volunteer, or

(*b*) a war injury sustained by a gainfully occupied person, or

(*c*) a war injury sustained by any such other person or person of such other class as may be notified in this behalf by the Government, or

(*d*) a war injury causing death, sustained by a person substantially dependant for his livelihood on a pension, annuity or other income ceasing with his death.

PART II.

Temporary Allowances.

Award of temporary allowance.

5. Where a qualifying injury has incapacitated a person for work for a period of not less than seven consecutive days, that person shall be entitled to be awarded in respect of that injury an allowance (in this Scheme referred to as a temporary allowance) in accordance with the following provisions of this Scheme.

Conditions of payment of temporary allowance.

6. A temporary allowance shall be payable only for so long as the person to whom it has been awarded is incapacitated for work by the injury in respect of which it has been awarded, and shall in no case be continued after the end of the sixth month from the date on which the injury was sustained.

Mode of payment.

7. Temporary allowances shall be paid half-monthly in arrears on the 1st and 16th of each month. If the incapacity for work ceases during a half-monthly period, no payment shall be made unless during that period the incapacity has existed for not less than seven days, in which case the payment shall be proportionately reduced.

Rates of temporary allowances.

8. Temporary allowances shall, subject to the provisions of clause 32 of this Scheme be payable at the following rates, namely :—

(*a*) where the injury is one for which relief may be given on the higher scale, at the half-monthly rate of nine rupees ;

(*b*) in the case of any other injury, at the half-monthly rate of six rupees and twelve annas.

Temporary allowance not to be drawn with disability pension.

9. A temporary allowance shall cease to be payable to a person on the date on which a disability pension under Part III of this Scheme becomes payable to him.

Failure to draw temporary allowance.

10. Any payment by way of temporary allowance not drawn within three months from the date on which it might first have been drawn shall cease thereafter to be payable :

Provided that if the Claims Officer is satisfied that there were good and sufficient reasons for the failure to draw the payment, he may condone the delay.

Awards in cases to which clause 30 applies.

11. When a person who, but for the provisions of clause 30 of this Scheme, would have been entitled to be awarded a temporary allowance, reaches the age of fifteen, before the end of the sixth month from the date on which the qualifying injury was sustained, he shall, subject to all the provisions of this Chapter, then become entitled to be awarded a temporary allowance.

PART III.

Disability Pensions to Persons who have sustained injuries causing serious and prolonged disablement.

Disability pensions.

12. Where a qualifying injury sustained by a person causes him serious and prolonged disablement, he shall be entitled to be awarded in respect of that injury a pension (in this Scheme referred to as a disability pension), in accordance with the following provisions of this Scheme.

Assessment of degree of disablement.

13. (1) For the purpose of assessing the rate of disability pension, disablements shall be expressed in percentages as set forth in the Schedule II to this Scheme. Where there is more than one disablement, the total disablement shall be expressed as the sum of the disablements, so however as not in any case to exceed 100 per cent.

(2) When the wound, injury or illness causing the disablement is one not provided for in the Schedule II to this Scheme, the disablement shall be estimated by a competent medical authority at the percentage shown in the said Schedule most closely corresponding to it.

Rates of disability pensions.

14. (1) Where the disablement resulting from a qualifying injury is expressed or estimated as 20 per cent, or over, a disability pension shall, subject to the provisions of clause 32, be awarded at the following rates, namely :—

Where the percentage of disablement is	*If the injury is one for which relief may be given on the higher scale.*	*If the injury is not one for which relief may be given on the higher scale.*
	Rs. per mensem.	Rs. per mensem.
100	18	13 8 0
90	16	12 0 0
80	14	10 8 0
70	13	9 12 0
60	11	8 4 0
50	9	6 12 0
20 to 40	8	6 0 0

(2) Where the disablement is not more than 50 per cent, the Claims Officer may, if he is satisfied that the injured person is not debarred from all means of livelihood, substitute for the disability pension a lumpsum payment calculated at 70 times the monthly payment specified in the foregoing sub-clause.

Commencement of disability pension, revision of award after two years or otherwise.

15. (1) If before the end of the sixth month from the date on which the injury was received, the competent medical authority certifies that the disablement caused to a person by a qualifying injury is permanent and incapable of diminution, the Claims Officer may at once award to that person, in accordance with sub-clause (1) of clause 14, a disability pension payable for life, or in accordance with sub-clause (2) of clause 14, a lumpsum payment.

(2) If at the end of the six months from the date on which the injury was received, or at any time within those six months when the injured person ceases to be entitled to a temporary allowance, it remains uncertain whether the disablement is permanent and incapable of diminution, the pension shall in the first instance be awarded for two years only, and, on the expiry of those two years, shall be awarded for life in accordance with the assessment then made by the competent medical authority of the percentage of disablement subsisting.

(3) Where a disability pension, but not a lumpsum payment in substitution therefor, has been awarded, and thereafter the disablement increases to a higher percentage than that on which the award was based, and such increase is certified by a competent medical authority to be attributable to the original qualifying injury, the Claims Officer may increase the disability pension to the appropriate higher rate with effect from the date on which the increased disablement is established by the certificate of the competent medical authority.

(4) Where a disability pension, but not a lumpsum payment in substitution therefor, h been awarded, and thereafter the disablement decreases to a lower percentage than that on whi the award was based, the Claims Officer may decrease the disability pension to the appropriate lower rate with effect from the date on which the decreased disablement is established by the certificate of the competent medical authority.

Mode of payment.

16. Disability pensions shall be payable quarterly in arrears:

Provided that if the Claims Officer considers that this course may result in hardship in any particular case he may order that the pension shall be payable monthly in arrears.

Cancellation of award on failure to draw pension.

17. (1) Where a person to whom a disability pension has been awarded, fails to draw that pension for a continuous period of not less than twelve months, the Claims Officer shall cancel the award, and no payment of the arrears of that pension shall be made.

(2) Where a person, to whom a lump sum payment has been awarded under sub-clause (2) of clause 14, fails to draw that sum within twelve months from the date of the award, the Claims Officer shall cancel the award and no further claim to pension or to lumpsum payment shall be entertained:

Provided that if the Claims Officer is satisfied that there were good and sufficient reasons for the failure referred to in sub-clause (1) of this sub-clause, he may condone the failure.

Awards in cases to which clause 30 applies.

18. When a person who, but for the provisions of clause 30 of this Scheme, should have been entitled to be awarded a disability pension, reaches the age of fifteen, he shall then become entitled to be awarded a disability pension, the amount of the award being based on his disablement as assessed at the time he reached the age of fifteen.

PART IV.

Family Pensions and Children's Allowances.

Family pensions and children's allowances.

19. (1) When a person dies as the result of a qualifying injury, there shall be payable, in accordance with the following provisions of this Scheme—

(*a*) to one surviving eligible member of his family a pension, in this Scheme referred to as a family pension, and

(*b*) to each of his legitimate children an allowance in this Scheme referred to as a child's allowance.

Purpose and amount.

(2) A family pension, though payable to one surviving eligible member of a family only, is intended for the support of all surviving eligible members of the family.

(3) The amount of a family pension shall, subject to the provisions of clause 32 of this Scheme, be eight rupees monthly.

(4) The amount of the child's allowance shall, subject to the provisions of clause 32 of this Scheme, be two rupees monthly for each child so long as a family pension continues to be paid to any surviving eligible member of the family, and three rupees monthly for each child, if no family pension is being paid.

(5) If the person to whom a family pension is payable is a minor, the pension shall be paid for the benefit of the eligible members of the family to the legal guardian of such a person.

(6) A child's allowance payable to a minor child shall, unless the Claims Officer otherwise directs, be paid for the benefit of the child to the person to whom the family pension under the award is payable, or if such person is himself a minor or if no family pension is payable under the award, to the legal guardian of the child.

Members of family who are eligible.

20. "Eligible member of a family" means, in relation to a person dying as the result of a qualifying injury,—

(*i*) his widow lawfully married by a valid ceremony;

(*ii*) his father;

(*iii*) his mother;

(*iv*) a legitimate son but not an adopted son;

(*v*) a legitimate daughter but not an adopted daughter;

Conditions of eligibility.

provided in each case that none of the conditions necessary for eligibility under clause 21 is infringed.

21. The following are the conditions governing the eligibility of the five classes of persons mentioned in clause 20:—

(1) A widow shall not be eligible if she remarries, unless such marriage is with her deceased husband's brother and she continues to live a communal life with, or to contribute to the support of, other living eligible members.

(2) The father shall not be eligible if at the time of the qualifying injury he is below the age of 50, unless he is physically or mentally unable to support himself, but he becomes eligible on attaining the age of 50.

(3) The mother shall not be eligible if at the time of the qualifying injury the father of the deceased is still alive, but shall become eligible on his death for so long as she remains unmarried. If she is a widow at the time of the qualifying injury she shall continue to be eligible only so long as she remains unmarried. If at the time of the qualifying injury she was already remarried to a husband other than the father of the deceased she shall be eligible and shall continue to be eligible if thereafter widowed for so long as she remains unmarried.

(4) A son shall not be eligible if he is above the age of 15 unless he is physically or mentally unable to support himself.

(5) A daughter shall not be eligible, if she has a husband living, or marries.

Fam pension by whom to be received.

22. (1) Where there are surviving eligible members of more than one of the classes specified in the list in clause 20, the family pension shall be payable to the member specified earliest in that list, of two or more widows the longest married taking precedence, and of two or more children the eldest taking precedence.

(2) Where there is no widow surviving and the family pension has not been made payable to the father of the deceased solely because the father had not yet reached the age of fifty, it shall, unless it has under the provisions of sub-clause (3) of this clause ceased to be payable, be made payable to him on his attaining the age of fifty, subject to the sub-clause next following.

(3) When the member to whom the family pension is payable under the foregoing provisions of this clause dies or ceases to be eligible, then, whether there are other eligible members surviving or not, the family pension shall cease altogether to be payable except as provided in clause 25.

(4) No claim to receive a family pension shall be entertained if made by a member who has, by the time the claim is preferred, already ceased to be eligible.

Date from which family pension takes effect.

23. A family pension when awarded shall become payable as from the day following that on which the qualifying injury causing the death was sustained:

Provided that where the family member, to whom the pension would have been payable on that day, has, before the Claims Officer has made the award, died or ceased to be eligible and the pension has consequently become payable to another member, the pension shall be payable to the last mentioned member as from the day following that on which the first mentioned member died or ceased to be eligible, and the arrears from the day following that on which the qualifying injury occurred up to the day on which the first mentioned member died or ceased to be eligible shall, subject to the provisions governing the payment of belated claims, be paid to the first mentioned member or his estate:

Provided further that if, before the Claims Officer has made the award, all the members who were eligible on the day following that on which the qualifying injury occurred have died or ceased to be eligible, the Claims Officer shall have full power to dispose of any arrears as he may think fit.

Division of family pensions.

24. (1) If the Claims Officer is satisfied, on application made to him, that the member to whom a family pension is payable refuses to contribute reasonably to the support of the other eligible members of the family or that a family pension payable to a child is not being utilised for the benefit of the other eligible member of the family, he may divide the pension at his discretion among all the eligible members and make it payable as so divided to each member individually.

(2) Any such division shall not affect the provisions contained in sub-clause (3) of clause 22 but, so long as the member to whom the pension is originally awarded continues to be alive and eligible, if any member receiving one of the divided portions of the pension dies or ceases to be eligible, his share shall be added to the amount distributable to the member or members still surviving and eligible.

(3) A division under this clause shall not ordinarily be made at the instance of children in receipt of children's allowances, but the Claims Officer may even in such a case at his discretion make a division of the family pension to avert special hardship.

Continuance of family pension.

25. (1) A family pension which ceases to be payable under sub-clause (3) of clause 22 may, either in whole or in part, be continued by the Claims Officer or be made again payable, if he is satisfied that by the cessation of the pension the father or mother of the deceased or both who would but for the operation of that sub-clause have been at the time eligible members of the family, are left destitute.

(2) If the Claims Officer decides to continue or restore a family pension under the foregoing provisions of this clause, the pension shall be payable, from such date as the Claims Officer may fix, not being earlier than the date on which the application for continuance or restoration is first received by the Claims Officer, to the father if living and would have been eligible at the time but for the operation of sub-clause (3) of clause 22 or, if the father is not living, to the mother if she would have been eligible at the time but for the operation of these sub-clauses; but the amount of the pension shall be reduced by the amount of any income from permanent sources available to the father or mother or both.

(3) A family pension so continued or restored shall cease altogether to be payable when the person to whom it is continued or restored dies or ceases to be eligible.

Duration of payment of children's allowances.

26. A child's allowance shall cease to be payable—

(*a*) to a male on his attaining the age of 15, and

(*b*) to a female on her attaining the age of 16 or on her marriage, whichever of these dates is the later.

Provided that the Claims Officer may, if satisfied that the person to whom the allowance is payable is physically or mentally unable to support himself, continue the allowance, so however that it shall cease to be payable to a female on her marriage.

Mode of payment of family pensions and children's allowances.

27. Family pensions and children's allowance shall be paid quarterly in arrears:

Provided that, if the Claims Officer considers that this course might result in hardship in any particular case, he may order that the pension or allowance shall be payable monthly in arrears.

28. No award of family pension or child's allowance shall be made in any case where the death giving rise to the claim occurs more than seven years after the date on which the qualifying injury causing the death was sustained. No award when death occurs more than seven years after injury.

29. Where a family pension or a child's allowance which has been awarded has not been drawn for a continuous period of not less than 12 months, the Claims Officer shall cancel the award, and no payment of the arrears of that pension or allowance shall be made :

Provided that if the Claims Officer is satisfied that there were good and sufficient reasons for the failure to draw the pension or allowance during each period he may condone the failure.

PART V.

PROVISIONS APPLICABLE TO AWARDS GENERALLY.

30. No payment under this Scheme shall, save as provided in clauses 11 and 18, be made in respect of any war injury sustained by a gainfully occupied person who is under the age of fifteen. No awards in respect of war injuries to gainfully occupied persons under fifteen years of age.

31. (1) Except where the Claims Officer in any special case otherwise directs, an award under this Scheme shall not be made unless an application for that award is made in the manner prescribed by the regulations made under this Scheme and within the following periods, namely :— Applications for awards.

(*a*) where the claim is for a temporary allowance to a person incapacitated for work, a period of three months from the date of the qualifying injury, or if the incapacity first supervened after that period, a period of three months from the inception of the incapacity ;

(*b*) where the claim is for a disability pension, a period of three months from the date of the qualifying injury, or if the injury necessitated immediate treatment in hospital, a period of three months from the date of discharge from hospital ;

(*c*) where the claim is for a family pension or child's allowance, a period of three months from the date of the death of the person whose death gave rise to the claim.

(2) The Claims Officer may refuse to entertain any application for any allowance or pension under this scheme in respect of a qualifying injury sustained by a person who has, without sufficient cause, failed to present himself for treatment at a hospital, dispensary or first-aid post.

32. (1) The amount awarded to a person as temporary allowance when incapacitated or as disability pension when disabled, shall be subject to the following modifications, namely :— Limitations on amount of awards.

(*a*) where such person is a woman, the amount shall be reduced by 20 per cent ;

(*b*) while such person is under the age of 18, the amount which would otherwise be payable shall be reduced by 25 per cent ;

(*c*) while such person is under treatment in a hospital, the amount which would otherwise be payable shall be reduced by 20 per cent.

(2) The amount awarded as family pension or children's pensions or both in respect of a person dying as the result of a qualifying injury shall not exceed the amount which might have been awarded to that person had he qualified for a disability pension assessed on a disablement of 100 per cent.

33. Where the person entitled to a temporary allowance, disability pension, family pension or child's allowance in respect of a qualifying injury is in receipt of a pension or allowance from public funds paid to him by reason of his having sustained that qualifying injury or as the case may be by reason of the death of another person as the result of that qualifying injury, he shall be allowed to draw only the amount, if any, by which the pension or allowance to which he is entitled under this scheme exceeds the pension or allowance referred to, received by him from public funds. Payment under this Scheme not to be drawn in addition to other payment from public funds.

34. No person in receipt of an allowance or pension under this Scheme shall be allowed to draw another allowance or pension of a different kind under this Scheme until the allowance or pension previously drawn is surrendered. Two payments under this Scheme not to be drawn by same person.

35. (1) No award under this Scheme shall be made in respect of— Awards when not to be made.

(*a*) an injury sustained whether in or outside Mysore by a person resident outside Mysore, or

(*b*) an injury sustained by a person ordinarily resident in Mysore while absent from Mysore for personal, domestic or pleasure purposes :

Provided that nothing in this sub-clause shall preclude the making of an award in respect of—

(*i*) a war injury sustained by a civil defence volunteer, or

(*ii*) a war injury sustained by a person ordinarily resident in Mysore while travelling by sea or by air between any one place in Mysore and any other place in Mysore, or

(*iii*) a war injury sustained in Mysore by a person ordinarily resident outside Mysore.

(2) The Claims Officer may withhold or cancel the award of any payment under this Scheme, if he is satisfied that the person to whom the award might be or has been made is or has become ordinarily resident outside Mysore.

36. Where the qualifying injury, or where the incapacity for work, disablement or death resulting from a qualifying injury is shown to the satisfaction of the Claims Officer to be mainly Effect of contributory negligence.

attributable to the negligence or misconduct of the person sustaining the injury, the Claims Officer may withhold or cancel any award which might be or has been made under this Scheme in respect of their injury or may reduce the amount of the award.

Effect of desertion of post by member of civil defence organisation.

37. When the person sustaining a qualifying injury is a member of a civil defence organisation and it is shown to the satisfaction of the Claims Officer that such person when required by Government order to be present in a certain locality, or at a certain post failed to be present or being present failed to remain in that locality or at that post as the case may be, the Claims Officer may withhold or cancel any award which might be or has been made under this Scheme in respect of that injury.

Effect of refusal to undergo medical treatment or operation.

38. Where a person who has sustained a qualifying injury refuses to undergo medical treatment or an operation calculated to restore his health or to cure or reduce a disablement caused by the qualifying injury, and a competent medical authority certifies that such refusal is in the circumstances unreasonable, then :—

(*a*) if the person dies, and a competent medical authority certifies that the death was due to the refusal to undergo medical treatment or an operation, no family pension or child's allowance shall be awarded ;

(*b*) if a competent medical authority certifies that medical treatment or an operation will cure the disablement caused by the qualifying injury, no disability pension shall be awarded ; and

(*c*) if a competent medical authority certifies that medical treatment or an operation will reduce the disablement to a lower percentage, a disability pension appropriate to that lower percentage only, shall be awarded.

Obligation to submit to medical examination.

39. (1) Any person in receipt of a temporary allowance or disability pension shall, if required by the Claims Officer by notice in writing so to do, submit himself for medical examination by the competent medical authority :

Provided that a person shall not be required so to present himself—

(*a*) if in receipt of a temporary allowance, at intervals of less than two months, or

(*b*) if in receipt of a disability pension which has not been awarded for life, at intervals of less than six months, or

(*c*) if in receipt of a disability pension which has been awarded for life, at intervals of less than two years.

(2) Where any person refuses or, without resonable cause, fails to submit himself for medical examination when required so to do under sub-clause (1), the Claims Officer may cancel with effect from the date of such refusal or failure, the award of allowance or pension made to that person.

(3) Where the award has been cancelled under sub-clause (2), the Claims Officer may refuse to entertain any subsequent application for an allowance or pension under the scheme in respect of the injury for which the cancelled award was made.

Where payee is incapable of managing his own affairs.

40. If the person to whom a pension or allowance under this Scheme has been awarded has not attained the age of eighteen years, or if he is, in the opinion of the Claims Officer, mentally infirm so as to be incapable of managing his own affairs, or if in any other case the Claims Officer considers it in the interest of that person, the Claims Officer, may either of his own motion or on application made to him, pay the pension or allowance to any other person whom the Claims Officer thinks best fitted to provide for the welfare of the person to whom the award has been made, or may apply the amount in any other manner for his benefit.

Cancellation of award on conviction for an offence.

41. Where a person to whom a pension or allowance under this Scheme might be or has been awarded is convicted by a Court of an offence and sentenced to a term of imprisonment or detention in Borstal school, the Claims Officer may withhold or cancel the award.

Claims Officer's power to review and alter awards.

42. The Claims Officer may at any time review any award made under this Scheme and if it appears to him by reason of a mistake of fact or a change in the condition or circumstances of the person to whom the award has been made or for any other reason whatsoever it is expedient so to do, he may increase or reduce the rate of any pension or allowance awarded or cancel the award or make a fresh award :

Provided that no pension or allowance shall be increased beyond the limits specified in, or for the purposes of, this Scheme.

Decisions under this Scheme.

43. All matters falling to be decided under this Scheme in connection with the award of payments under the Scheme shall, where other specific provision is not made in this Scheme, be decided by the Claims Officer ; but in all matters relating to the extent or effect of injuries the existence or non-existence of incapacity for work, and degrees of disablement, the Claims Officer shall decide in accordance with the opinion of, or a certificate given by, a competent medical authority.

Power of Government to vary rates

44. The Government may at any time by notification in the Official Gazette alter the rate of payments which may be awarded under this Scheme.

Exceptional cases of hardship.

45. Exceptional cases of hardship not covered by the provisions of this Scheme may be submitted by the Claims Officer to the Government which may make such orders as it thinks fit.

Payment for medical and surgical treatment.

46. The Government or any officer authorised by the Government may, in accordance with any regulations made in this behalf, make payments for medical and surgical treatment provided for persons who have sustained qualifying injuries.

Power of Government to make

47. The Government may make regulations for giving effect to the purposes of this Scheme

By Order,

B. K. RAMAKRISHNAIH,
For *Secretary to Government*
Law Department.

SCHEDULE I.

1. The following organisations when established bv the Government :—

(*a*) Auxiliary Fire Service.
(*b*) Control and Report Service.
(*c*) Air-raid Warden Service.
(*d*) Fire Prevention Service.
(*e*) First aid, Casualty and Ambulance Serivce.
(*f*) Rescue Service.
(*g*) Gas identification Service.
(*h*) Decontamination Service.
(*i*) Messenger Service.
(*j*) Instructor Service.
(*k*) Mortuary Service.
(*l*) Raid Spotter Service.
(*m*) Keymen Service.
(*n*) Public Utility Emergency Repairs Service.
(*o*) Auxiliary Nursing Service (A. R. P. Branch).

SCHEDULE II.

(1) For the purpose of the assessment of the rate of disability pension, disabilities shall be expressed in percentages as follows :—

Serial No.	*Specific injury*	*Per cent*
1.	Loss of two or more limbs Loss of an arm and an eye Loss of a leg and an eye Loss of both hands or of all fingers and thumbs Loss of both feet Loss of a hand and a foot Loss of two or more limbs Total loss of sight Total paralysis Lunacy Wounds, injuries or disease resulting in disabled man being permanently bed-ridden. Wounds of, or injuries to, internal, thoracic or abdominal organs, involving total permanent disabling effects. Wounds of, or injuries to, head or brain involving total permanent disabling effects or Jacksonian epilepsy. Very severe facial disfigurement. Advanced cases of incurable disease.	100
2.	Amputation of right arm through shoulder Amputation of leg at hip or below hip with stump not exceeding 5 inches in length mesuared from tip of great trochanter; of right arm below shoulder with stump not exceeding 6 inches measured from tip of acromion; or of left arm through shoulder.	90
3.	Lisfranc operation, both feet Amputation of leg below hip with stump exceeding 5 inches in length measured from tip of great trochanter but not below middle thigh; or left arm below shoulder with stump not exceeding 6 inches measured from tip of acromion; or of right arm below shoulder with stump exceeding 6 inches measured from tip of acro-minion, through elbow, or below elbow, with stump not exceeding 5 inches mea-sured from tip of olecranon.	80
4.	Severe facial disfigurement Total loss of speech Amputation of leg below middle thigh, through knee or below knee with stump not exceeding 4 inches; of left arm below shoulder with stump exceeding 6 inches mesaured from tip of acromion, through elbow, or below elbow, with stump not exceeding 5 inches measured from tip of olecranon; or of right arm below elbow with stump exceeding 5 inches measured from tip of olecranon.	70

Serial No.	*Specific injury*	*Per cent*
5.	Total deafness .. .. ..

Notification No. R. L. 1993—*Legis.* 46-41-3, *dated 25th March* 1942.

In exercise of the powers conferred by clause 47 of the War Injuries Scheme, the Government of His Highness the Maharaja are pleased to make the following regulations, namely :—

Title

1. These Regulations may be called the War Injuries Regulations, 1942.

Interpretation.

2. In these Regulations "Scheme" means the War Injuries Scheme, 1942, "Form" means a Form appended to these Regulations and other expressions have the same meaning as in the Act or the Scheme.

Casualty Reports.

3. (*a*) Every leader of a first-aid party shall attach to each casualty a tie-on label in Form A1.

(*b*) Every officer in charge of a first-aid post shall maintain a record of cases coming to his post in Form A2.

(*c*) Every person in charge of a hospital or dispensary shall maintain a record of war injuries or war service injuries treated and documents in the Forms B1, B2, B3 and B4. He shall also maintain a list of patients under treatment in Form B5.

(*d*) Every officer in charge of a first-aid post or person in charge of a hospital or dispensary shall, as soon as possible, after the admission of a person sustaining a war injury or a war service injury, send a signed report in the appropriate Form to the Claims Officer.

(*e*) It shall be the duty of the police to ascertain the name and other particulars of all persons who are killed or who die before admission to hospital and report the circumstances to the Claims Officer, and every police officer shall make such further reports as the Claims Officer may from time to time call upon him to do.

Medical Authorities.

4. (*a*) The Government may constitute Medical Authorities, for such areas and for such purposes of the Scheme and these Regulations as it may deem necessary, and consisting of such number of persons as it may think fit. Members of such Medical Authorities shall be registered medical practitioners or Medical Officers of Government, and if there is more than one member in any Authority, one of them shall be appointed by the Government to be the President.

(*b*) The Claims Officer may refer any medical question to the Medical Authority for its opinion.

(*c*) For the purposes of certification of incapacity for work the Claims Officer shall ordinarily obtain a certificate from a medical officer not lower in rank than an Assistant Surgeon or such other medical practitioner as may be specified by Government.

(*d*) The Claims Officer shall ordinarily refer all cases relating to the grant of pensions to the Medical Authority.

Applications for temporary allowances.

5. An application for a temporary allowance shall be made in Form C to the Claims Officer by the person who has sustained the qualifying injury, through the person in charge of the hospital or dispensary where he received or is receiving treatment, or if he did not receive treatment in any hospital or dispensary, through the officer in charge of the First Aid Post at which he received attention or the officer in charge of the Police Station or First Aid Post to which the facts of his injury were reported.

Applications for disability pensions.

6. (*a*) An application for a disability pension shall be made in Form D to the Claims Officer by the person who has sustained the qualifying injury, through the person in charge of the hospital or dispensary where he last received or is receiving treatment, or if he has not been treated in any hospital or dispensary, through the Medical Officer of Government or the registered medical practitioner who last treated him for the injury, and shall be countersigned by such person, officer or practitioner.

(*b*) No application for a disability pension shall be entertained unless it is supported by a certificate of disability in Form E granted by a Medical Authority; application therefor shall be made to the Medical Authority for the area in which the injured person resides by the injured person, or if he is incapable of making it himself, on his behalf by another person.

Applications for family pensions and children's allowances.

7. An application for a family pension or for a family pension and children's allowance shall be made in Form F to the Claims Officer by the person to whom payment thereof, if sanctioned, would be made under the provisions of the Scheme.

General provisions for applications to Claims Officer.

8. Where the Claims Officer is satisfied that a person by whom an application should be made is for sufficient reason incapable of making the same, the Claims Officer may entertain an application made on such person's behalf by any other person.

Awards.

9. The Claims Officer, on receiving an application for an allowance or pension under the Scheme and after considering the reports and certificates pertaining to the case and after obtaining such other evidence, if any, as he considers necessary, shall make his award in Form G. He shall briefly record separately the reasons for his award. A signed copy of the award shall be given to the person to whom the award is made and another copy shall be sent to the Treasury where the payment is to be made.

Power to call for evidence, etc.

10. The Claims Officer shall have the power to examine witnesses and call for such evidence as he considers necessary in the same manner as a civil court under the provisions of the Code of Civil Procedure, 1911 (Act III of 1911) and shall have, in particular, the powers conferred by section 3 of that Code.

Payment of allowances and pensions.

11. (*a*) All allowances and pensions under the Scheme shall be payable at the treasury within whose jurisdiction the payee ordinarily resides.

(*b*) All allowances and pensions shall be drawn within one month of the date when they are due. The Treasury Officer concerned may, however, at his discretion, make payment of full arrears within one year of the due date. The Deputy Commissioner of the District within which the treasury is situated may at his discretion sanction the grant of any arrears.

(*c*) All such payments shall from time to time be endorsed on the award by the Treasury Officers.

Transfer of place of payment.

12. On an application made to him by or on behalf of the holder of an award of any pension or allowance, the Claims Officer may, for sufficient reason, transfer the place of payment and shall endorse the award accordingly. He shall also inform the Treasury Officers concerned of the transfer so effected.

Proof of continued elgibility.

13. (*a*) With every award when presented for payment, there shall be produced a certificate of life pertaining to the beneficiary or beneficiaries under the award, signed by a Gazetted Officer of Government, a Magistrate or a Police officer not below the rank of a Sub-Inspector. Where the claimant is undergoing treatment as an in-patient at a hospital or dispensary, thecertificate shall be signed by the person in charge thereof:

Provided that where a beneficiary is present at the time of payment of an allowance or pension under the Scheme, no life certificate in respect of him shall be required but his identity shall be proved to the satisfaction of the Treasury Officer.

(*b*) On every occasion when the award of a family pension or of a family pension and children's allowance is presented for payment, the person to whom the same is payable shall give a certificate in Form H.

Reports of in eligibility.

14. (*a*) If any person to whom any pension or allowance is payable ceases under any of the provisions of the Scheme to be eligible to receive the same, or if any circumstances arise since the making of the award or last modification thereof to require under any of the said provisons the cancellation or modification of the award, a report shall forthwith be made to the Claims Officer by the person to whom the pension or allowance has hitherto been payable, and pending the orders of the Claims Officer on such report, the award shall not be presented for any further payment thereon.

(*b*) On receipt of any such report, the Claims Officer shall, after making such inquiries, if any, as he may deem necessary, cancel or modify the award in accordance with the provisions of the Scheme, and shall inform the Treasury of payment accordingly.

By Order,

B. K. RAMAKRISHNAIYA,

For *Secretary to Governmen*

Law Departm

FORM A-1.

Casualty Label.

Obverse.

Date
Name — Casualty Book No.
Father's or Husband's name
Injury

T M H G X

Treatment
Morphia. Dose and Time
Instructions :

T—Tourniquet
M—Morphia
H—Hæmorrhage
G—Gas and contamination.

X—Immediate attention.

Officer in charge.

Reverse.

(Red and Green lables).

Red : *Direct to HOSPITAL.*

Green : *To First Aid Post.*

Cross out where applicable.

If C. D. V. $\frac{\text{on duty}}{\text{off duty}}$

(State source of information).

Reverse.

(White labels).

White : *Walking Case.*

This card should be given to patients with minor injuries, sent home after treatment, with instructions, where necessary to present it at the nearest hospital for further treatment (to-day or the next day).

The Casualty Book number should be entered on the card.

FORM A-2.

This copy to be preserved at F.A.P.

CASUALTY BOOK.

F. A. Post. — No.
Town and District.
Date and Time of arrival.
Name. — Age. — Sex.
Father's or Husband's name.
Community. — Caste.
Occupation. — If C.D.V. $\frac{\text{on duty}}{\text{off duty}}$

Address.
By whom brought.
Nature and cause of injury
(Note if gassed).
Treatment.
A. T. Serum.
Morphia, dose and time.
Disposal.

Medical Officer-in-charge.

When an injured person is sent home after treatment this form should be completed before he leaves the F.A. post and he should be given a casualty label on which should be entered the casualty book number.

This copy to be sent to the A.R.P. Headquarters which will forward it to the War Injuries Claims Officer

CASUALTY BOOK.

F. A. Post. — No.
Town and District.
Date and time of arrival.
Name. — Age. — Sex.
Father's or Husband's name.
Community. — Caste.
Occupation. — If C.D.V. $\frac{\text{on duty}}{\text{off duty}}$

Address.
By whom brought.
Nature and cause of injury
(Note if gassed).

Disposal.

Medical Officer-in-charge.

This copy should be completed and forwarded to the A. R. P. Headquarters as soon as possible.

This copy to be retained in Hospital.

WAR CASUALTY.

In-patient Book.

Hospital No.
Town and District.
Date of admission.
Name. Age. Se
Father's or Husband's name.
Community. Caste.
Address.
Occupation (note if C.D.V.)
Where first treated (with date).
F.A. Post at.....
By whom brought.
Date of injury.
Name and probable cause of injury. (note if gassed).
Name and address of next of kin.
Date of discharge.

fer to out-patient Department.

Medical Officer.

This copy to be sent to War Injuries Claims Officer through A. R. P. Headquarters.

WAR CASUALTY.

In-patient Book.

Hospital No.
Town and District.
Date of admission.
Name Age.. Sex
Father's or Husband's name.
Community. Caste.
Address.
Occupation (note if C.D.V.).
Where first treated (with date).
F.A. Post at.....
By whom brought.
Date of injury.
Name and probable cause of injury. (note if gassed).
Name and address of next of kin.
Date of dischrge.

transfer to out-patient Department.

Medical Officer.

FORM B-2.

This copy to be retained in Hospital.

WAR CASUALTY.

Out-patient Book.

Hospital/Dispensary. No.
Town and District.
Name. Age.
Father's or Husband's name
Community. Caste.
Address.
Occupation (note if C.D.V.).
Where first treated (with date).
F. A. Post.
Casualty Book No.
Whether *ex*-In-patient.
Date of injury.
Probable cause of injury.
Date of 1st treatment in O. P. D.
Whether incapacitated for work.

Medical Officer.
Date.

Keep this carefully and take it with you when you go to the Hospital.

Dates for further treatment and Discharge.

Date	Whether incapacitated for work.	Signature of M. O.

This copy to be sent to the Claims Officer A. R. P. Headquarters.

WAR CASUALTY.

Out-patient Book.

Hospital/Dispensary. No.
Town and District.
Name. Age.
Father's or Husband's n
Community. Caste.
Address.
Occupation (note if C.D.V.).
Where first treated (with date).
F. A. Post.
Casualty Book No.
Whether *ex*-In-patient.
Date of injury.
Probable cause of injury.
Date of 1st treatment in O. P. D.
Whether incapacitated for work.

Medical Officer.
Date.

This copy to be given to the Patient.

WAR CASUALTY.

Out-patient Book.

Hospital/Dispensary . No.
Town and District.
Name. Age.
Father's or Husband's name
Community. Caste.
Address.
Occupation (note if C.D.V.).
Where first treated (with date).
F. A. Post.
Casualty Book No.
Whether *ex*-In-patient.
Date of injury.
Probable cause of injur
Date of 1st treatment in O. P. D.
Whether incapacitated for work.

Medical Officer.
Date.

To be kept in the Hospital and filled up on each occasion when the patient is treated.

When discharged with "Discharged" and the date.

Particulars of any refusal to undergo treatment should be noted.

Dates of further treatment and Discharge.

Date.	Whether incapacitated for work.	Signature of M. O.

FORM B 3.

WAR CASUALTY.

Discharge Certificate.

Name (Capitals) : Age :

Father's or Husband's name :

Address :

was under In / Out patient treatment from to

at Hospital. / Dispensary

Town..... District .....

Casualty Book No.- ..... Out-patient Record No.....

In-patient Record No.....

Suffering from.....

.....

the result of war injury on

at

and was discharged on

Date..... Medical O

.....

P. T. O.

REVERSE.

This form should be prepared in triplicate:

(1) *for the patient.*

(2) *for the War Injuries Claims Officer.*

(3) *for the Hospital Record, or to be placed in large envelope.*

(Signature or thumb impression of the patient on this to act as a receipt).

1. Whether patient refused to undergo any medical treatment YES / NO

2. Whether still incapacitated for work YES / NO

3. Particulars of disability due to war injury still continuing, if any....

.....

4. Whether disability is capable of improvement YES / NO / DOUBTFUL.

Medical Officer

FORM B4.

WAR CASUALTY.

Cover for Medical History Doc

Full Name (in capitals)	*Father's or Husba*

Community : Caste :

Age : Occupation :

(note if C. D. V.)

Addr...

Date and place of injury :

Name and address of next of kin :

In-patient Record No.....

Name of Hospital, Town and District.	*Date of*		*Admission Record No.*
	Admission	*Discharge or Transfer.*	

This envelope will be prepared by the hospital to which a patient is first admitted and all medical documents relating to the case will be placed in this envelope, which with its contents should be transferred with the patient on transfer to another hospital, and on final discharge or death it should be transmitted under cover to.....

FORM B-5.

Statement of In/Out——patients with war injuries under treatment on the 1st/15th——of.....19 .

Serial No.	Name	Father's or husband's name	Age and Sex M. F.	Community	Caste	Whether out-patient (O. P.) or in-patient (I. P.).	No. in I. P. Book	No. in O. P. Book and date of last treatment	incapacitated for work on date of last treatment	Rem

NOTE.—1. If an out-patient fails to attend for a period of 14 days the fact should be noted in the "Remarks" column.

2. If a patient fails to attend for one month the fact should be noted, and his name should not be included in later lists

edical Officer.

Dispensary,

Hospital.

FORM C.

Application for Temporary Allowance.

Claimant's full name (in capitals).

Name of Father (in the case of married woman, of husband).

Age. Date of birth.

Caste. Profession.

Residence. Nationality.

What rate of allowance is claimed and ... claim.

Income before injury and source of the income.

Income after injury and source of the income.

Place where injury sustained. Date of injury.

Cause of injury in detail.

Details of injury.

Whether attended to by A. R. P. volunteer, civic guard, police or other organisation, if so details.

If taken to dispensary or hospital, which and when.

If discharged from dispensary or hospital, when.

Did the injured person refuse medical treatment at a hospital or dispensary, and if so, why ?

If attended to at residence by a medical practitioner details of place where treated and name of medical practitioner.

Period of incapacity of work.

If temporary allowance and/or pension is being or has been drawn by the injured person, details thereof.

If the claimant draws or has drawn any special disability pension or allowance from public funds, details thereof.

I certify that the information furnished above is true to the best of m knowledge and belief.

I certify that I am not in receipt of any pension or allowance und the War Injuries Scheme, 1941 (other than that referred to above

I desire to draw the allowance, if sanctioned, at.....

Treasury.

Applicant's name.

Father's or husband's name.

Community or caste.

In-patient Book No.

Out-patient Book No.

Date of admission as in-patient.

Date of first treatment as out-p...

If discharged, date of discharge.

Period during which, according to the hospital records, the applicant was incapacitated for work (dates) From.....to.....

Whether at present incapacitated for work and, if so, probable period during which incapacity will continue.

Did patient refuse any medical treatment ? if so, give particulars.

Medical Officer,
Hospital

Date.....

FORM D.

Application for Disability Pens....

Claimant's full name (in capitals).

Name of Father (in the case of married woman, of husband).

Age. Date of birth.

Caste Profession.

Residence. ationality.

What rate of pension is claimed and justification for the claim.

Income before injury and source of the income.

Income after injury and source of the income.

Place where injury sustained.

Cause of injury in detail.

Details of injury.

Whether attended to by A. R P. volunteer, civic guard, police or other organisation, if so, details.

If taken to dispensary or hospital, which and when.

If discharged from dispensary or hospital, when.

Did the injured person refuse medical treatment at a hospital, or dispensary and if so, why ?

If attended to at residence by a medical practitioner, details of place where treated and name of medical practitioner.

If any temporary allowance and/or pension is being or has been drawn by the injured person, details thereof.

If the claimant draws or has drawn any special disability pension or allowance from public funds, details thereof.

I desire to draw the pension, if sanctioned at.....Treasury

I certify that the information furnished above is true to the best of my knowledge and belief.

I certify that I am not in receipt of any pension or allowance under the War Injuries Scheme, [illegible] than referred to above).

ure of claimant)

Certificate of Disability.

Medical Authority.

Name of injured person (in capitals).

Name of Father (in case of married woman, of hus

Age. Residence.

Caste. Profession.

Nationality

Date of examination by the authority

Particulars of disability and probable cause.

Degree of disability in terms of clause 11 of the War Injuries Scheme, 1

Is the disability capable of improvement ?

If not, estimate probable further duration of disability and st person should be put up for examination again, and when.

FORM F.

Application for Family Pension and Children's Allowance.

Applicant's full name (in capitals).

Name of Father (in the case of married woman, of husband).

Age. Date of birth

Caste. Profession.

Residence. Nationality.

Relationship with deceased.

Income of applicant before death of deceased and source income.

Income of applicant after death of deceased and source of such income.

Full name of deceased (in capitals).

Place of death.

Cause of death.

Was deceased attended to by A. R. P. volunteer, civic guard, police or other organisation—if so, details.

If deceased received any medical treatment, details thereof including place where received.

If deceased died in any hospital or dispensary, state details.

If not give any other proof of death, *e.g.*, affidavits, or/any certificates by a gazetted officer, Magistrate or Sub-Inspector of Police.

Did deceased draw any allowance under the War Injuries Scheme, 1941, prior to death, if so details as to award, rate and amount drawn prior to death.

Is any special pension or allowance awarded from public funds in respect of the death of the deceased.

If deceased has any of the following relatives living at the time of his death, give details* in respect of *each*:—widow or widows, father, mother, actual and legitimate son(s), actual and legitimate daughter(s). State also, if any, has since died, or whether any female relative has since married or unmarried.

Date of birth. Age. } In the case of all tives.

Residenc If staying elsewhere than }

with applicant state details.

In the case of daughter—whether married.

In the case of children—Guardian, if any, other than applicant.

If any of the said relatives or the applicant

(i) draws any other pension from public unds, state details as to source and amount.

(ii) holds any appointment under Government or local authority, state details and rate of emoluments.

Amount and particulars of the claim made :—

I desire to draw the pension and (allowances), if sanctioned, at..... Treasury.

I certify that the information furnished in the statement is true to the best of my knowledge and belief.

I certify that I am not in receipt of any pension or allowance under the War Injuries Scheme, 1941.

...

(Signature of claim

*If necessary, this may be done on a sheet to be attached and signed.

FORM G

Award under the War Injuries Scheme, 1941.

Claims Officer for (area)

Name.

Name of person receiving war injury.

Name of person killed

Age. Residence.

Caste. Profession.

Nationality.

Pension or allowance in favour of (block capitals).

Name of father of such person (in the case of married woman, of husband).

Description of such person.

Age. Residence.

Caste. Profession.

Nature of award (state whether temporary allowance, disability pension, or family pension and children's allowance).

Amount of pension or allowance Rs. per

In the case of children's allowance, particulars of amount and children in respect of whom made stating their dates of birth.

Guardian, if any.

Period for which pension is sanctioned, with the date of commencement.

Payable at.....Treasury.

On the.....of each.....

Date and signature of Claims Officer.

Forwarded to the payee through the Deputy Commissioner of.....
.....District.

Period	Amount	Signature or thumb impression of payee	Signature of Treasury Officer or other authorised officer	Date stamp of office
(1)		(3)	(4)	(5)

FORM H.

Certificate of Continuing Eligibility.

.....(name, father's or husband's name and address).....

being the person to whom the family pension [and children's allowance(s)] sanctioned under Award No.....is/are payable, hereby certify—

(i) that I remain eligible under the provisions of the War Injuries Scheme, 1941, to receive the same, and

(ii) that no circumstances have arisen since the making(of the last modification)of the said Award which under any of the said provisions would operate to require the cancellation or (further) modification of the said Award.

Date...

(Signature or thumb impression)..

(To be countersigned, in cases where the payee is not present in person at the Treasury of payment, by a Gazetted Officer of Government, a Magistrate or a Police Officer not below the rank of Sub-Inspector).

Printed by the Superintendent at the Government Press, Bangalore.

2949/W

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of Section 3 of the War Injuries (Emergency) Act, 1942, the Govt. of H.H. the Maharaja are pleased to direct that the following amendments shall be made in the War Injuries Scheme 942:-

In Schedule I to the said scheme,

(a) in paragraph (1)

~~(a)~~ the following shall be omitted:-

"(l) Raid Spotter Service.
(m) Keymen Service.
(n) Public Utility Emergency Repairs Service.
(o) Auxiliary Nursing Service (A.R.P. Branch)."

(b) the following paragraph shall be added:-

"The following Organisations when ~~required~~ recognized or the purposes of this Scheme by the Govt:-

Private Organisations to carry out any of he following services:-

(i) Decontamination service.
(ii) Messenger service.
(iii) Fire service.
(iv) Raid Spotter service.
(v) Keymen service.
(vi) Public Utility Emergency Repairs service.
(vii) Auxiliary Nursing Service (A.R.P. Branch.)
(viii) Control and Report service.
(ix) Air-raid Warden service.
(x) Fire Prevention or Watchers service.
(xi) First aid, Casualty and Ambulance services (including ~~drivers~~ drivers).
(xii) Rescue service.
(xiii) Instructor service.

By O

for Chief Secy. to Govt.

The Compiler, Mysore Gazette for publication & for supply of 2 & 150 copies to the Secretariat

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 2949/W.

General and Revenue Secretariat,

Dated Bangalore 12th May 1942. *193*

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of section 3 of the Air Injuries (Emergency) Act, 1942, the Government of His Highness the Maharaja are pleased to direct that the following amendments shall be made in the Air Injuries Scheme, 1942:-

In Schedule I to the said Scheme,

(a) in paragraph (1), the following shall be omitted:-

"(l) Raid Spotter Service.
(m) Keymen Service.
(n) Public Utility Emergency Repairs Service.
(o) Auxiliary Nursing Service (A.F.N. Branch)".

(b) the following paragraph shall be added:-

"The following Organisations when recognised for the purposes of this Scheme by the Government:-

Private Organisations to carry out any of the following services:-

(i) Decontamination Service.
(ii) Messenger service.
(iii) Fire Service.
(iv) Raid Spotter service.
(v) Keymen service.
(vi) Public Utility Emergency Repairs Service.
(vii) Auxiliary Nursing Service (A.F.N. Branch).
(viii) Control and Report service.
(ix) Air-raid Warden service.
(x) Fire Prevention or Watchers service.
(xi) First aid, Casualty and Ambulance services (including drivers).
(xii) Rescue service.
(xiii) Instructor service.

By Order,

For Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication and for supply of 150 copies to this office very early.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 2949/41 General and Revenue Secretariat,

Dated Bangalore 12th May 1942. *193*

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of section 3 of the War Injuries (Emergency) Act, 1942, the Government of His Highness the Maharaja are pleased to direct that the following amendments shall be made in the War Injuries Scheme, 1942:-

In Schedule I to the said scheme,

(a) in paragraph (1), the following shall be omitted:-

"(l) Anti-Spotter service.
(m) Ceylon Service.
(n) Public Utility Emergency Repairs Service.
(o) Auxiliary Nursing Service (A.R.P. Branch)".

(b) the following paragraph shall be added:-

"The following Organisations when recognised for the purposes of this Scheme by the Government:-

Private Organisations to carry out any of the following services:-

(i) Decontamination service.
(ii) Messenger service.
(iii) Fire service.
(iv) Anti-Spotter service.
(v) Cyclist service.
(vi) Public Utility Emergency Repairs service.
(vii) Auxiliary Nursing Service (A.R.P. Branch).
(viii) Control and Report service.
(ix) Air-raid Wardens service.
(x) Fire Prevention or Watchers service.
(xi) First aid, Casualty and Ambulance services (including drivers).
(xii) Rescue service.
(xiii) Instructor service.

By Order,

for Chief Secretary to Government.

The Compiler, Mysore Gazette, for publication and for supply of 150 copies to this office very early.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 2949/W

General and Revenue Secretariat,

Dated Bangalore 12th May 1942. 19

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of Section 3 of the War Injuries (Emergency) Act, 1942, the Government of His Highness the Maharaja are pleased to direct that the following amendments shall be made in the War Injuries Scheme, 1942:-

In Schedule I to the said Scheme,

(a) in paragraph (1), the following shall be omitted:-

"(l) Raid Spotter Service.
(m) Keymen Service.
(n) Public Utility Emergency Repairs Service.
(o) Auxiliary Nursing Service (A.R.P., Branch)".

(b) the following paragraph shall be added:-

"The following Organisations when recognised for the purposes of this Scheme by the Government:-

Private Organisations to carry out any of the following services:-

(i) Decontamination service.
(ii) Passenger service.
(iii) Fire service.
(iv) Raid Spotter service.
(v) Keymen service.
(vi) Public Utility Emergency Repairs service.
(vii) Auxiliary Nursing Service (A.R.P. Branch).
(viii) Control and Report service.
(ix) Air-raid Warden service.
(x) Fire Prevention or Watchers service.
(xi) First aid, Casualty and Ambulance Services (including drivers).
(xii) Rescue service.
(xiii) Instructor service.

By Order,

For Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication and for supply of 150 copies to this office very early.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 2949/4

General and Revenue Secretariat,

Dated Bangalore 12th May 1942, *193*

NOTIFICATION.

In exercise of the powers conferred by sub-section (1) of Section 3 of the War Injuries (Emergency) Act, 1942, the Government of His Highness the Maharaja are pleased to direct that the following amendments shall be made in the War Injuries Scheme, 1942:-

In Schedule I to the said scheme,

(a) in paragraph (1), the following shall be omitted:-

"(l) Raid Spotter Service.
(m) Keymen Service.
(n) Public Utility Emergency Repairs Service.
(o) Auxiliary Nursing Service (A.R.P., Branch)".

(b) the following paragraph shall be added:-

"The following Organisations when recognised for the purposes of this Scheme by the Government:-

Private Organisations to carry out any of the following services:-

(i) Decontamination service.
(ii) Messenger service.
(iii) Fire service.
(iv) Raid Spotter service.
(v) Keymen service.
(vi) Public Utility Emergency Repairs service.
(vii) Auxiliary Nursing Service (A.R.P. Branch).
(viii) Control and Report service.
(ix) Air-raid Warden service.
(x) Fire Prevention or Watchers service.
(xi) First aid, Casualty and Ambulance services (including Drivers).
(xii) Rescue service.
(xiii) Instructor service.

By Order,

For Chief Secretary to Government.

To

The Compiler, Mysore Gazette, for publication and for supply of 150 copies to this office very early.